

DA 67/98 - Independent Environmental Audit Report

SIMEC
Tahmoor Coal - Independent Environmental Audit
Tahmoor Coal Mine NSW
SAA230003.01
1 June 2023

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EXECUTIVE SUMMARY

Epic Environmental Pty Ltd (Epic) has been engaged by SIMEC Mining (SIMEC) to undertake an independent environmental audit (IEA) at the Tahmoor Coal Mine (the Site). The IEA was undertaken between 27 March 2023 and 25 May 2023.

As per condition 50 and 51 of the Development Approval (DA) 67/98 requires Tahmoor Coal Pty Ltd (Tahmoor Coal) to undertake Independent Audits (IAs) in accordance with the Department of Planning and Environment's *Independent Audit Post Approval Requirements (2020).*

The IEA criteria are the requirements which the site will be assessed against. The IEA criteria for the site will be as follows:

- Assess the compliance with the conditions of approval for
  - Development Approvals DC 1975, DA 57/93 and DA 67/98
  - Environment Protection Licence - EPL 1389
  - Mining Leases (ML) ML 1308, ML 1376, ML 1539 and ML 1642
  - Consolidated Coal Leases (CCL) CCL 716 and CCL 747
- Assess whether operations are being undertaken from an environmental management point of view in accordance with best practice, standards, and legislative requirements
- Recommend measures or actions to improve the environmental performance
- Recommend improvements to any document required under the conditions of approval
- Review the implementation of environmental management plans developed in accordance with the conditions of consent and the development approval
- Provide recommendations for the overall improvement of environmental performance of the Site

The IEA comprised of an opening meeting, IEA interviews, site inspection and a closing meeting. A suite of evidence and material was provided by SIME representatives to verify the findings of the IEA.

IEA Findings

Overall, the Applicant demonstrated compliance against **98%** of the IEA criteria. A total of 239 individual conditions were audited, of which 101 (inclusive of items identified as notes for information) were not triggered (NT) during the audit period. Of the remaining 138 conditions, 135 were deemed compliant and three were identified as non-compliant.

The complete IEA checklist is included in **Appendix D**. Details of positive observations, compliances and non-compliances, are detailed in the subsequent sections.

Positive Observations

A number of positive observations were noted during the site inspection and audit interviews:

- Site personnel demonstrated a high level of knowledge and understanding of:
  - Environmental roles and responsibilities
  - Environmental compliance, specifically mitigation measures, and monitoring and reporting requirements (outlined in relevant management plans)
- Site personnel were committed to ensuring operations had minimal impact on the surrounding environment, particularly in relation to noise, vibration, dust and rehabilitation
- Monitoring data / records were well maintained
- Management Plans and sub-plans were comprehensive and addressed the requirements of the approval conditions:
  - There was no excessive noise or dust emissions observed during the site inspection
  - General housekeeping across the site was good, storage areas generally neat and tidy, workshop organised, appropriate signage around the site
  - Dangerous goods and hazardous materials were stored appropriately: in sealed, bunded, roofed areas, appropriate signages was present, spill kits and firefighting equipment present
  - Waste was segregated and stored appropriately

  - Monitoring points were sign posted
- Evidence of rehabilitation occurring at the reject emplacement area
- Environmental performance is addressed in the annual review reports
  - Provided to relevant stakeholders and are also made available on the website
- Regular consultation with stakeholders and the community occurs through:
  - Attendance with committee meetings
  - Newsletters
  - Resident information packs
  - Involvement in community programs

1 INTRODUCTION

Epic Environmental Pty Ltd (Epic) has been engaged by SIMEC Mining (SIMEC) to undertake an independent environmental audit (IEA) at the Tahmoor Coal Mine located at 2975 Remembrance Driveway, Bargo NSW 2574 (the Site) in accordance with requirements of Development Application (DA) 67/98.

1.1 Background

The Site consists of an underground coal mine that commenced operations in 1979 and has approval to produce up to four million tonnes of Run of Mine (ROM) coal per annum and operate 24 hours a day.

Tahmoor Mine (a subsidiary within the SIMEC Mining Division) has been operated by Tahmoor Coal Pty Ltd (Tahmoor Coal) since the mine commenced in 1979.

Mining in the Western Domain was completed in September 2022, with the Tahmoor South Domain (Longwall South 1A) commencing in October 2022, extending the life of the mine up to 2032.

Tahmoor Coal operations are undertaken in accordance with the following approvals:

- Development Consent (DC) - DC 1975
- Development Application (DA) - DA57/93
- DA 67/98
- SSD8445 (not subject to this audit)

In accordance with the requirements of Condition 50 and 51of DA67/98, Tahmoor Coal are required to undertake and prepare an Independent Environmental Audit (IEA):

Condition 50:

By 30 September 2011 and every 3 years following, the Applicants shall commission and pay the full cost of an Independent Environmental Audit of the Tahmoor Mine. This audit must:

a. Be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary
b. Include consultation with the relevant agencies and the Community Consultative Committee;
c. Assess the environmental performance of the Tahmoor Mine and assess whether it is complying with the requirements in all relevant development consents and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals)
d. Review the adequacy of strategies, plans or programs required under the abovementioned approvals
e. Recommend appropriate measures or actions to improve the environmental performance of the Tahmoor Mine, and/or any assessment, plan or program required under the abovementioned approvals
f. Be conducted and reported to the satisfaction of the Secretary

Condition 51:

Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.

The IEA was undertaken between 27 March 2023 and 25 May 2023. This document outlines the method, findings, and recommended actions of the 2023 IEA undertaken at the site.

1.2 IEA Team

The IEA team members have been provided in **Table 1**. In accordance with Condition E50 (a) of DA67/98 an approval for the appointment of the independent audit team for the IEA has been granted by the Department of Planning and Environment (13/03/2023). A copy of the endorsement letter is included in **Appendix A**.

The auditors confirm their independence, and the signed Independent Environmental Audit Declaration Form has been provided in **Appendix B.**

Table 1. IEA Team

Name	Role	Years' Experience	Qualification
Kirsty Douglas	Lead Auditor	17	Lead Auditor (Exemplar Global, No. 210439), BEnvSci (Conservation Biology and Ecology), GCert IAP2 Australasia
Chris Griffiths	Project Manager/Audit Assistant	17	Lead Auditor (BSI Training Centre), DSCi (Environmental Management)

1.3 Audit Scope and Objectives

The scope and key objectives of the IEA are to:

- Assess the compliance with the conditions of approval:
  - Development Approvals DC 1975, DA 57/93 and DA 67/98
  - Environment Protection Licence - EPL 1389
  - Mining Leases (ML) ML 1308, ML 1376, ML 1539 and ML 1642
  - Consolidated Coal Leases (CCL) CCL 716 and CCL 747
- Assess whether operations are being undertaken from an environmental management point of view in accordance with best practice, standards, and legislative requirements
- Recommend measures or actions to improve the environmental performance
- Recommend improvements to any document required under the conditions of approval
- Review the implementation of environmental management plans developed in accordance with the conditions of consent and the development approval
- Provide recommendations for the overall improvement of environmental performance of the Site

1.4 Audit Criteria

The IEA criteria are the requirements which the Site will be assessed against. The IEA criteria for the Site will be as follows:

- Development Approvals:
  - DC 1975
  - DA 57/93
  - DA 67/98
- Environment Protection Licence - EPL 1389
- Mining Leases (ML):
  - ML 1308
  - ML 1376
  - ML 1539
  - ML 1642
- Consolidated Coal Leases (CCL):
  - CCL 716
  - CCL 747

2 AUDIT METHOD

2.1 Method Development

The IEA method was developed with reference to:

- *Independent Audit Post Approval Requirements* (DP&E, 2020)
- *ISO 19011: 2019 Guidelines for Auditing Management Systems*

2.2 IEA Program

The IEA was undertaken in accordance with the program provided in **Table 2**.

Table 2. Proposed Program for the IEA

Proposed Dates	Task/Description	Participants
Phase I – Project Preparations		
27/03/23	Preparation and provision of IEA Plan	Epic
28/03/23	Provision of management plans required for the IEA	Tahmoor Coal
28/03/23 – 04/04/23	Undertake a preliminary document review	Epic
27/03/23 – 29/03/23	Develop the IEA tools	Epic
Phase II – Site Inspections and Interviews		
04/04/23	Site Inspection and IEA Interviews	Epic & Tahmoor Coal
05/04/23	IEA Interviews	Epic & Tahmoor Coal
05/04/23	Closing Meeting	Epic & Tahmoor Coal
Phase III – IEA Reporting		
11/04/23 – 28/04/23	Detailed evidence review	Epic
08/05/23 – 20/05/23	Prepare the draft IEA report	Epic & Tahmoor Coal
25/05/23	Issue the final IEA reports to SIMEC	Epic

2.3 Pre-Audit Consultation

Upon engagement, the IEA team held a kick-off meeting with Tahmoor Coal representatives to discuss the IEA process, expectations, and to detail information requirements prior to undertaking the IEA.

An opening meeting was held on Site on the 4 May 2023 with key Tahmoor Coal personnel. The purpose of the opening meeting was to introduce the audit team, outline the audit process, scope, methodology, proposed audit schedule and identify key personnel that would be required for the audit interviews and site inspection.

Tahmoor Coal representatives also provided the audit team with a presentation that covered an overview of the mine's history, current operations and any items of particular relevance to the current audit period.

2.4 IEA Tools

The following tools were used during the IEA. These tools assisted in defining the scope of the IEA, captured any issues identified during the IEA and allowed for the discussion of potential actions on how these items can be rectified. The tools included:

- IEA Plan **(Appendix C**)
- Opening meeting agenda and minutes (**Appendix D**)
- IEA checklist (**Appendix F**) and interview questions

2.5 IEA Criteria

The IEA criteria were the requirements which the Site was assessed against. The IEA criteria for this IEA was:

- Conditions of the Approvals outlined in **Section 1.4**.
- Relevant management plans and subplans

2.6 IEA Scoring Criteria

The proposed compliance assessment ratings to be used in the IEA are outlined in **Table 3**.

Table 3. IEA Scoring Criteria

IEA Rating	Abbreviation	Definition
Compliant	C	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the condition or management plan requirement have been complied with within the scope of the IEA.
Opportunity For Improvement	OFI	Compliant, however possible improvements identified.
Non-compliant	NC	The Auditor has determined that one or more specific elements of the conditions or management plan requirements have not been complied with within the scope of the IEA.
Not Triggered	NT	A condition or requirement has a trigger that has not been activated during the defined IEA period (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

2.7 Site Inspection

A site inspection and audit interviews were undertaken between 4 and 5 April 2023 with key Tahmoor Coal personnel. Weather on the day of the site inspection was sunny, with a low of 9.5 ^{0}C with a high of 21.1 ^{0}C (BOM, 2023). 0.2 mm of rain fell on the day of inspection at the High Range weather station.

The IEA team were escorted by Tahmoor Coal representatives during the site inspection. The IEA team were provided unrestricted access to the Site to verify compliance.

Photos taken during the site inspection are included in **Appendix F**.

2.8 IEA Interviews

Key staff interviewed during the IEA are identified in **Table 4**.

Table 4. SIMEC Key Personnel

Name	Role	Contact Details
Thomas O'Brien	Environmental Specialist	Thomas.Obrien@simecgfg.com
Natalie Brumby	Environmental Officer	Natalie.Brumby@simecgfg.com
Zina Ainsworth	Environment and Community Manager	Zina.Ainsworth@simecgfg.com
Pushkin Rahman	Surface Superintendent	Pushin.Rahman@simecgfg.com

2.9 IEA Document Review

A comprehensive suite of evidence and material was provided by SIMEC to verify the findings of the IEA. The list of documents provided and reviewed during the IEA included:

- DC 1975
- DA's 57/93 and 67/98
- EPL 1389
- ML's 1308,1376,1539,1642
- CCL's 716 and 747
- Management plans and subplans including:
  - Environmental Management Strategy
  - Air Quality and Greenhouse Gas Management Plan
  - Noise Management Plan
  - Rehabilitation Management Plan
  - Rehabilitation Strategy
  - Water Management Plan
  - Surface Water Management Plan
  - Spontaneous Combustion Management Plan
  - Groundwater Management Plan
  - Biodiversity Management Plan
  - Bushfire Management Plan
  - Erosion and Sediment Control Plan
  - Traffic Management Plan
  - Social Impact Management Plan (SIMP)
  - Pollution Response Management Plan
  - Erosion Sediment Control Plan – Redbank Creek CMAP
  - Erosion Sediment Control Plan – Myrtle Creek CMAP
- Extraction Plans
- 6 Monthly Subsidence Impacts Reports
- Annual Reviews – 2020 – 2022 Surface Superintendent
- Monitoring Data 2020 – 2023
  - Water (continuous and monthly)
  - Dust (continuous, monthly and Hi Volume)
- Community Complaints Register
- Incidents and Non-compliance Notification Register
- Community Consultative Committee Meeting minutes
- Community newsletters and resident information packs

The majority of this information was also available on the Tahmoor Coal website:

https://www.tahmoorcolliery.com.au/

2.10 Stakeholder Consultation

Stakeholder consultation was undertaken in accordance with the requirements of condition 50(b) of DA67/98, and the *Independent Audit Post Approval Requirements* (DP&E, 2020). A summary of the consultation undertaken, and feedback on issues/items to be considered as part of the IEA are outlined in **Table 5**.

Table 5. Summary of Stakeholder Consultation

Stakeholder	Contact Details	Response	Audit Response
Department of Planning and Environment	Georgia Dragicevic Senior Compliance Officer Georgia.Dragicevic@planning.nsw.gov.au	Response received 7/05/2023 requesting consideration of subsidence related impacts and noise management. Response is included in **Appendix G**.	Assessment of compliance with the approval conditions for noise and vibration are included in **Appendix E**. Noise complaints are reported in the Annual Review Reports. Noise complaints received during the audit period are summarised in **Section 3.7**
Environmental Protection Agency	Andrew Couldridge Head Regional Operations Unit andrew.couldridge@epa.nsw.gov.au	No response was received.	-
NSW Resource Regulator	Jenny Ehmsen Principal Compliance Officer Regional NSW Resource Regulator nswresourcesregulator@service-now.com	Response received 16/05/2023 requesting that the audit assess compliance against the relevant environmental management conditions of the mining leases as well as note observations where rehabilitation procedures, practices outcomes represent best industry practice. Response is included in **Appendix G**.	Assessment of compliance for rehabilitation is addressed in **Appendix E**. Rehabilitation is managed in accordance with the Rehabilitation Strategy and Rehabilitation Management Plan, CMAPs. The status of rehabilitation is also reported in the Annual Review Reports.
Department of Environment and Planning – Water Assessments	Tim Baker Senior Project Officer Water Assessment DPE – Water water.assessments@dpie.nsw.gov.au	Response received 10/05/2023 requesting that the audit address compliance with specific elements of the consent conditions and related legislative requirements specifically related to water management and subsidence. Response is included in. **Appendix G**	Assessment of compliance for water management and subsidence are included in **Appendix E**. Subsidence is managed through dilapidation surveys, subsidence monitoring and reporting. Water is managed through the Water Management Plan, the Surface Water Management Plan and the Groundwater Management Plan. Subsidence and water management are reported in the Annual Review Reports.
NSW Crown Land	Dan Cross NSW Crown Land dan.cross@crownland.nsw.gov.au	No response was received.	-
Wollondilly Shire Council	David Henry Wollondilly Shire Council council@wollondilly.nsw.gov.au	No response was received.	-

Stakeholder	Contact Details	Response	Audit Response
Community Consultative Committee	Michael Muston Muston & Associates gem@1earth.net	Email received 11/05/2023 advising no issues of non-compliance that he was aware of. Advised he would circulate the consultation letter to other members of the CCC to see if there were any issues of concern from them, noting that the timing may not meet the audit deadline and that the next meeting of the CCC was June 2023. Response is included in **Appendix G**.	No further response was received.

3 APPROVALS AND DOUMENTATION ASSESSED

3.1 Status of the 2020 IEA Findings

The 2020 IEA identified 25 NCs and 16 OFI's against the audit criteria. A review of the status of the identified actions and recommendations determined that they have all been closed out, with the exception of one NC (DA 67/98; condition 40) and two recommendations which all have a status of "ongoing, as required". Refer to **Table 6** for full details.

Table 6. 2020 IEA Actions and Recommendations - Status

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
DA 67/98					
NC1	12	Groundwater quality data need to be presented in the form of tables which list all monitored parameters and graphs to show the changes in water quality.	All groundwater quality data has been presented in the 2020 Annual Review and Six Monthly Subsidence Impact Report.	A review of the Annual reports and the Six Monthly Subsidence Impact Report confirmed that the groundwater data is now included in these reports.	Closed
NC2	13H(c)	It is recommended that: • groundwater quality data is reported fully i.e. all parameters that are sampled and analysed need to be reported along with trends in time • any non-compliance and exceedance of triggers should be followed up and documented along with management measures reported as per Trigger Action Response Plan (TARP) in WMP, 2015 and WMP, 2020 • while no auditing is required for groundwater resources in WMP (2020), the auditing in line with LW W1-W2 Extraction Plan should be undertaken to ensure that the water quality of the creeks does not further deteriorate.	All groundwater quality data has been presented in the 2020 Annual Review and Six Monthly Subsidence Impact Report. The next Six Monthly Subsidence Impact Report also documented the progress of actions / management measures (where required) from previous or current non-compliance or triggers in accordance with the LW W1-W2 Water Management Plan TARP. Monitoring of water quality of creeks has been reviewed and discussed by the Tahmoor Coal Environmental Response Group on a monthly basis in light of the TARPs, and further investigations were completed where deemed necessary.	A review of the Annual reports and the Six Monthly Subsidence Impact Report confirmed that the recommendations made are now included.	Closed
NC3 REC 8	40	Provide notifications to relevant landowners of any monitored exceedances. If investigations have shown that it is not attributable to Tahmoor Mine operations, provide evidence.	In the event of a monitoring value exceedance, Tahmoor Coal logs the exceedance via the Cority compliance software, investigates the cause for the exceedance, and provides evidence to relevant landholders where necessary.	Audit interviews confirmed that the process for investigating exceedance include notification to landholders (where applicable). There were no exceedances identified within the audit period.	Ongoing as required

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
NC4	44	Review the AQGHGMP and NMP required by this consent. The management plans should be updated to: • list all relevant statutory conditions (including consents and EPL) along with where they are addressed in the report, including this Management Plans condition 44	Tahmoor Coal implemented these changes in the 2020 document review in accordance with Condition 46 of DA 67/98 following the 2020 Annual Review. Updated AQGHGMP (Version 9.0) and NMP (Version14.0) in May 2021.	A review of the plans confirmed that the relevant statutory conditions are included in section 2.1, Table 1.	Closed
NC5	46	Review the AQGHGMP and NMP required by this consent. The management plans should be updated to: • list all relevant statutory conditions (including consents and EPL) along with where they are addressed in the report, including this Management Plans condition 44 • a review of baseline data since the commencement of monitoring under this consent • include the real time monitoring TARPs within the management plans and not as separate procedures • include protocols for incident and complaints management and notifications			
NC6	48	Update PIRMP notification procedure to include DPIE and NRAR. Review any additional agencies which may require notification of incidents.	Tahmoor Coal updated these changes in the Pollution Incident Response Management Plan (PIRMP) review. April 2021 – PIRMP version 16.0 (notification procedure section updated)	A review of the PIRMP confirmed that it includes external agency notification (Table 3).	Closed
NC7	51	The 2017 audit report was dated 12 June 2018 and the site visit was undertaken on 9-11 October 2017. Submission was not within 3 months of the audit commencement. No evidence has been provided as to an approved extension date. No further recommendation	No action required	The 2020 audit report was submitted within the required timeframes	Closed
DA 57/93					

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
NC8	41	• Include detailed design drawings of the REA and stormwater management system within the management plan. The site water management plan for example does not show the water management at the eastern side of the REA • Complete cover crop seeding of topsoil stockpile areas • Reduce topsoil stockpile height to <3m and ensure stockpiles resulting from future disturbance be a maximum of be 3m high and be seeded with a temporary vegetation cover • Ensure future contour drains and other water management structures at the Reject Emplacement Area are constructed in accordance with approved designs and complete erosion repairs/rock lining of existing contour drain	The REA Management Plan version 5.0 was updated to include how it addresses specific requirements (April 2021) Design drawings of the REA were included in the REA Management Plan Topsoil stockpiles were reduced to less than 3m between July and September 2021 Tahmoor Coal has relocated a section of the topsoil stockpile. This section was noted during the audit as requiring reseeding due to lack of sufficient ground cover Tahmoor Coal will continue to implement rock drainage lines where needed throughout the REA, and repair as necessary. Seeding completer September 2022	Audit interview and the site inspection confirmed that these actions have bene implemented.	Closed
NC9 REC 1 REC 2 REC 3 REC 4	46	• Include reference to the requirements of Condition 46 of DA 57/93 into future iterations of the MOP and include a table to show where these conditions have been addressed • Develop a formalised Rehabilitation Quality Assurance Process throughout the life of rehabilitation to include verification of activities and procedures and tracking of key data at each phase of rehabilitation (i.e. topsoil depth, amelioration, seed mix, weather conditions). It is recommended that GIS may be incorporated into the QA process to track phases of rehabilitation. This will assist in identifying differences in rehabilitation and determining factors for success and failure Improvement REC: • prepare a topsoil inventory to understand volumes of material available for rehabilitation. Improvement REC	Future rehabilitation activities will incorporate these rehabilitation recommendations. A Rehabilitation Quality Assurance Process was detailed in an updated version of the Annual Rehabilitation and Land Management Plan and results were included in the Annual review and will continue to be included in subsequent Annual Reviews. Tahmoor Coal completed a topsoil stocktake and initiated a topsoil inventory. Completed July 2021 in the Annual Rehabilitation and Land Management Plan version 1.0. The MOP was replaced by the new Rehabilitation reforms which commenced on the 2nd July 2022. Topsoil stockpiles were reduced to less than 3m between July and September Seeding completer September 2022	The rehabilitation quality assurance process is included in Section 7 of the plan (Version 2 – confirming it has been reviewed and updated on an annual basis).	Closed

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
		• Consider climatic conditions in rehabilitation timings and planning and utilise water carts or similar to assist in watering in of tubestock in dry conditions.			
EPL 1389					
NC10	A3	Continue investigations to commission the water treatment plant in consultation with the EPA.	The water treatment plant pilot plant trial was completed in December 2021 confirming it was "fit for purpose". The construction of the final water treatment plant is expected to be complete by December 2023.	EPL variation and SSD8445 Modification 1 for the WTP to be commissioned by December 2023. The commission date for the WTP will be reviewed in the next audit.	Closed
NC11 REC 5 REC 6	L1	• Ensure all follow up actions proposed in the incident report have been implemented and are documented in the Water Management Plan. Update the Water Management Plan to include details of the implemented measures and to document the TARP for water turbidity levels. Report the status of the follow up actions in the next annual review. • Install temporary erosion and sediment controls at the drain between M4 and LDP1 until vegetation establishment is complete • Complete repairs to erosion and sediment controls and eroded batter adjacent to LDP1.	Actions were completed and documented in the Soil and Water Management Plan, with results reported in the 2020 Annual Review. Update of Soil and Water Management Plan completed April 2021 Tahmoor Coal implemented erosion and water management controls to prevent degradation and erosion – April 2021.	The water management plan includes contingency plan and reference to TARPS that included in the surface water and the groundwater management plans as an Appendix.	Closed
NC12 & NC13	L2.1 & L2.4	Ensure all follow up actions proposed in the incident report have been implemented and are documented in the Water Management Plan. Update the Water Management Plan to include details of the implemented measures and to document the TARP for water turbidity levels.			
NC14	M6	2019 Annual Review reports that bushfire in December 2019 destroyed equipment therefore continuous monitoring of water discharge from LDP1 not undertaken between 20 and 23 December 2019. Equipment was repaired. No further recommendations	No further action required.	Closed prior to this audit period.	Closed

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
NC15	R1.7	2018 & 2019 Annual Returns are signed. 2017 Annual Return is unsigned. No further recommendations	No further action required.	Closed prior to this audit period.	Closed
NC16	R2.2	Update PIRMP notification procedure to include DPIE and NRAR. Review any additional agencies which may require notification of incidents.	Tahmoor Coal updated these changes in the Pollution Incident Response Management Plan (PIRMP) review. April 2021 – PIRMP version 16.0 (notification procedure section updated)	A review of the PIRMP confirmed that it includes external agency notification (Table 3).	Closed
NC17	U1	Continue investigations to commission the water treatment plant in consultation with the EPA.	The water treatment plant pilot plant trial was completed in December 2021 confirming it was "fit for purpose". The construction of the final water treatment plant is expected to be complete by December 2023.	EPL variation and SSD8445 Modification 1 for the WTP to be commissioned by December 2023. The commission date for the WTP will be reviewed in the next audit.	Closed
ML1308 and ML1376					
NC18 REC 7	3(f)	Include comparison with completion criteria in the Annual Reviews and rehabilitation reports. Review and implement Resources Regulator rehabilitation reform reporting requirements as required.	The Annual Reviews and rehabilitation reports include comparisons with completion criteria. The RR rehabilitation reforms have been implemented into Annual Reviews as required – completed March 2021	Details included in the Annual Review Reports	Closed
NC19	4	The Annual Reviews meet this requirement, reporting on identified compliance with the Mining Lease during the Annual Review periods, and any particulars. An official caution was received from the DPIE-RR for not submitting the AEMR by 1 March 2018. In response to this Tahmoor Coal applied to RR to vary the submission date to 31 March for further AEMRs to align with development consent requirements. The request was approved on 9/11/2018. No further recommendations.	No further action required.	Closed prior to this audit period.	Closed
ML1539					
NC20	3	Include comparison with completion criteria in the Annual Reviews and rehabilitation reports. Review and implement Resources Regulator	The Annual Reviews and rehabilitation reports include comparisons with completion criteria. The RR rehabilitation reforms have been	Closed prior to this audit period.	Closed

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
		rehabilitation reform reporting requirements as required.	implemented into Annual Reviews as required – completed March 2021		
ML1642					
NC21	4	2017 AEMR not submitted prior to 1 March 2018 2018 and 2019 AEMR submitted by required date An official caution was received from the DPIE-RR for not submitting the AEMR by 1 March 2018. In response to this Tahmoor Coal applied to RR to vary the submission date to 31 March for further AEMRs to align with development consent requirements. The request was approved on 9/11/2018. No further recommendations.	No further action required.	Closed prior to this audit period.	Closed
NC22	18	Ensure all follow up actions proposed in the incident report have been implemented and are documented in the Water Management Plan. Update the Water Management Plan to include details of the implemented measures and to document the TARP for water turbidity levels. Report the status of the follow up actions in the next annual review.	Actions were completed and documented in the Soil and Water Management Plan, with results reported in the 2020 Annual Review. Update of Soil and Water Management Plan completed April 2021 Tahmoor Coal implemented erosion and water management controls to prevent degradation and erosion – April 2021.	The management plan includes contingency plan and reference to the TARP that included in the surface water and the groundwater management plans as an Appendix.	Closed
CCL716					
NC23	3	2017 AEMR not submitted prior to 1 March 2018 2018 and 2019 AEMR submitted by required date An official caution was received from the DPIE-RR for not submitting the AEMR by 1 March 2018. In response to this Tahmoor Coal applied to RR to vary the submission date to 31 March for further AEMRs to align with development consent requirements. The request was approved on 9/11/2018 No further recommendations	No further action required.	Closed prior to this audit period.	Closed
NC24	25	Ensure all follow up actions proposed in the incident report have been implemented and are documented in the Water Management Plan. Update the Water Management Plan to include details of the implemented measures and to	Actions were completed and documented in the Soil and Water Management Plan, with results reported in the 2020 Annual Review. Update of Soil and Water Management Plan completed April 2021	The management plan includes contingency plan and reference to TARPS that included in the surface water and the groundwater management plans as an Appendix.	Closed

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
		document the TARP for water turbidity levels. Report the status of the follow up actions in the next annual review.	Tahmoor Coal implemented erosion and water management controls to prevent degradation and erosion – April 2021.		
CCL747					
NC25	3	2017 AEMR not submitted prior to 1 March 2018 2018 and 2019 AEMR submitted by required date An official caution was received from the DPIE-RR for not submitting the AEMR by 1 March 2018. In response to this Tahmoor Coal applied to RR to vary the submission date to 31 March for further AEMRs to align with development consent requirements. The request was approved on 9/11/2018. No further recommendations	No further action required.	Closed prior to this audit period.	Closed
Other Recommendations					
REC 9	-	Reporting Include reporting on GHG in the annual reviews.	A summary of GHG performance was included in Annual Reviews and will continue to be included in subsequent Annual Reviews.	Summaries are included in the Annual Review Reports.	Closed
REC 10	-	ML 1376 Undertake further consultation with RR regarding status of mining lease application and obtain confirmation of expected date of approval.	Tahmoor Coal consulted with the Resource Regulator regarding status of mining lease.	ML1376 has been renewed under section 114 of the *Mining Act 1992*. Signed 28/03/2023.	Closed
REC 11	-	Hydrocarbons Clean up hydrocarbon staining around diesel storage and associated workshops	The area of concern underwent a thorough clean and relevant Tahmoor Coal personnel have been advised of housekeeping standards – completed April 2021	Observations made during the site inspection identified very minor hydrocarbon spills, however these were not in areas with potential to enter waterways or land outside of the mine.	Ongoing as required
REC 12	-	Reporting Include table showing actual daily results in discharge volumes against the approved volumes in Annual Review (as a table) as per the Annual Return (i.e. min, max and average). Reporting of volume should be in the same units as the limit (KL) rather than ML. Also recommended to update discharge figure in the Annual Reviews to show the discharge limit of 15500 KL/day.	Tahmoor Coal have included comparison results and discharge figures in Annual Reviews.	A review of the Annual Review Reports confirmed that this detail is included.	Closed

NC/ Rec #	Condition No.	2022 Comments/recommendations	Tahmoor Coal Actions	2023 Audit Findings	Status
REC 13	-	Weed management Some evidence of weeds was noted around the Pit Top, ventilation shaft and in rehabilitation areas. Additional weed management recommended.	Tahmoor Coal have reviewed weed management practices and implemented changes at the site to prevent areas of weed growth as required. Weed Management has been incorporated into Monthly Environmental Inspections	Confirmed that weed management is included in the monthly environmental inspections.	Closed
REC 14	-	Safety Vegetation has been cleared to facilitate rehabilitation works at Myrtle Creek in accordance with the CMAP. It is recommended to install safety bunting at the top of the creek embankment until vegetation is re-established.	A farm fence has been installed at the top of Myrtle Creek where vegetation has been cleared. Native vegetation has been planted where vegetation was removed, and a hinge joint fence has been attached to the farm fence. Completed April 2021	This recommendation was closed out prior to this audit period.	Closed
REC 15		Water take Review water take reported in 2017-2019 Annual Reviews. Provide justification for inconsistencies in the reported numbers.	Tahmoor Coal reviewed the reported water take in previous Annual Reviews and justified miscalculation in the 2020 Annual Review.	This recommendation was closed out prior to this audit period.	Closed
REC 16		Subsidence Due to the recent amendment to the 1961 Mine Subsidence Compensation Act in 2017, all claims and compensation for impacts after 1 January 2018 will be directed by SA NSW to the operating mine responsible. It would therefore be in the best interests of the mine to ensure all development that is approved by SA NSW is compatible with the predicted subsidence effects at Tahmoor.	The implementation of this advice is at the discretion of SA NSW and other regulators. Tahmoor Coal will continue to provide advice on new developments based on future mine planning and potential subsidence effects.	The Auditee confirmed that this is ongoing as required.	Ongoing as required

3.2 Development Approvals and Development Consent

The Site operates under the following Development Consents (DC) and Development Approvals (DA):

- SSD8445 (subject to a separate IEA)
- DC 1975
- DA 57/93
- DA67/98

There were no non-conformances identified against the conditions of the DA's or the DC (applicable to this audit) in the 2023 IEA, however there was one NC identified in the previous audit for DA 67/98, condition 40 as "ongoing":

> *"Provide notifications to relevant landowners of any exceedances. If investigations have shown that it is not attributable to Tahmoor Mine operations, provide evidence."*

This requirement is only triggered when an exceedance occurs. Therefore although it was identified in the 2022 Annual review report as "ongoing", the NC is considered closed for the purposes of this audit. Compliance with condition 40 will be assessed in subsequent audits.

The audit findings and compliance status of each condition are outlined in **Appendix E**.

3.3 Adequacy of Management Plans and Subplans

A review of the management plans and subplans required by the approvals were assessed as part of this IEA. The review of these plans identified that they have been developed in accordance with the approval requirements and implemented effectively. A summary of the findings is outlined in **Table 7**. The full audit findings and compliance status of each condition are outlined in **Appendix E**.

Table 7. Summary of Audit Findings - Management Plans

Management Plan	Condition No.	Audit Findings
DA57/93		
Reject Emplacement Area Management Plan (REAMP)	41, 46, 47	The original REAMP was approved 19 January 1995. Based on the information provided during the audit interviews and site inspection: • Requirements of condition 41 were addressed in the REAMP • Requirements of conditions 46 and 47 were addressed in the Mine Operations Plan, now replaced by the Rehabilitation Management Plan
DA 67/98		
Extraction Plans	13H	Based on the information provided during the audit interviews and site inspection, the extraction plans (and subplans) meets the requirements of the condition. The extraction plans have been prepared by suitably qualified person as endorsed by the Planning Secretary
Noise Management Plan	33 & 44	The current Noise Management Plan (NMP) (revision 3.0, dated 19/10/2022) (document title: TAH-HSEC-00372). Based on the information provided during the audit interviews and site inspection, the NMP generally meets the requirement of both conditions 33 and 44. Noise management on site during the audit period has generally been effective: • 21 complaints were received during the audit period 2020 – 2023 (**Table 10**). Investigations concluded: - 19 complaints: noise was not related to mining activities - Two complaints: noise was within allowable limits - One complaint: noise was related to mine machinery and mitigation measures implemented

Management Plan	Condition No.	Audit Findings
		• One incident (**Table 11**) of an exceedance of allowable limits occurred however the investigation determined that this was a result of meteorological conditions influencing the monitoring results Monitoring results have met the noise assessment requirements as reported in the Annual Review Reports.
Air Quality & Greenhouse Gas Management Plan	39 & 44	The current Air Quality & Greenhouse Gas Plan (AQGHGMP) (revision 3.0, dated 19/10/2022) (document title: TAH-HSEC-00379). Based on the information provided during the audit interviews and site inspection, the AQGHGMP generally meets the requirement of both conditions 33 and 44. Management on site during the audit period has generally been effective: • No complaints were received during the audit period (**Table 10**), however one NC was identified (**Table 11).** The Investigation determined this was due to a power fault, which was rectified. Monitoring results have met the noise assessment requirements as reported in the Annual Review Reports.

3.4 Environmental Protection Licence

Overall, the Site demonstrated **93%** compliance against the conditions of EPL 1389. A total of 51 conditions were audited, of which three NCs were identified, and six conditions were identified as NT (inclusive of items identified as notes for information) during the audit period.

A summary of the findings for the NCs are outlined in **Table 8**. The full audit findings and compliance status of each condition are outlined in **Appendix E**.

Table 8. 2023 EPL 1389 Audit Findings

Condition No.	Requirement	Compliance Assessment	2023 IEA Finding
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	NC	Activities have been undertaken generally in accordance with this EPL, with the exception of the non-compliances identified in M2.1 and M2.2 with regard to the frequency of monitoring: • air quality monitoring site PM10-1. An investigation confirmed that the disruption was as a result of a faulty powerline. Tahmoor actioned this incident immediately and installed a new power outlet and cable with appropriate weather protection.
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	NC	
M2.2	Air Monitoring Requirements as outlined in the Table for • Points 4 – 12 • Points 13 - 14	NC	

3.5 Mining Leases

Tahmoor Coal holds the following mining leases (ML), and consolidated coal leases (CCL) were subject to this IEA:

- ML1308
- ML 1376
- ML 1539
- ML 1642
- CCL 716
- CCL 747

Overall, the Applicant demonstrated **100%** compliance against the conditions of the MLs and CCLs. A total of 31 conditions were audited across the MLs and CCLs, of which nine conditions were identified as NT (inclusive of items identified as notes for information) during the audit period.

The full audit findings and compliance status of each condition are outlined in **Appendix E**.

4 IEA FINDINGS

4.1 Overall IEA Results

Overall, the Applicant demonstrated compliance against **98%** of the IEA criteria. A total of 239 individual conditions were audited, of which 101 (inclusive of items identified as notes for information) were not triggered (NT) during the audit period. Of the remaining 138 conditions, 135 were deemed compliant and three were identified as non-compliant. The summary of audit findings is outlined in **Table 9**.

Table 9. 2023 IEA Compliance Summary

Compliance Status	DC 1975	DA 67/98	DA 57/93	EPL 1389	ML 1308	ML 1376	ML 1539	ML 1642	CCL 716	CCL 747	Total
Compliant	5	52	14	42	4	4	3	2	5	4	135
Non-Compliant	0	0	0	3	0	0	0	0	0	0	3
Not Triggered	0	17	69	6	1	2	2	1	2	1	101
Number of aspects audited	5	69	83	51	5	6	5	3	7	5	239
Percent compliant (%)	100	100	100	**93**	100	100	100	100	100	100	**98**

The complete IEA checklist is included in **Appendix D**. Details of positive observations, compliances and non-compliances, are detailed in the subsequent sections.

4.2 Positive Observations

A number of positive observations were noted during the site inspection and audit interviews:

- Site personnel demonstrated a high level of knowledge and understanding of:
  - Environmental roles and responsibilities
  - Environmental compliance, specifically mitigation measures, and monitoring and reporting requirements (outlined in relevant management plans)
- Site personnel were committed to ensuring operations had minimal impact on the surrounding environment, particularly in relation to noise, vibration, dust and rehabilitation
- Monitoring data / records were well maintained
- Management Plans and sub-plans were comprehensive and addressed the requirements of the approval conditions
  - There was no excessive noise or dust emissions observed during the site inspection
  - General housekeeping across the site was good, storage areas generally neat and tidy, workshop organised, appropriate signage around the site
  - Dangerous goods and hazardous materials were stored appropriately: in sealed, bunded, roofed areas, appropriate signages was present, spill kits and firefighting equipment present
  - Waste was segregated and stored appropriately
  - Monitoring points sign posted
- Evidence of rehabilitation occurring at the reject emplacement area
- Environmental performance is addressed in the annual review reports
  - Provided to relevant stakeholders and are also made available on the website
- Regular consultation with stakeholders and the community occurs through:
  - Attendance with committee meetings
  - Newsletters
  - Resident information packs
  - Involvement in community programs

4.3 Environmental Performance

Monitoring records were observed for the IEA period and demonstrated a high level of environmental performance across the site.

Interviews with site personnel also demonstrated that they had a good understanding of their roles and responsibilities regarding environmental matters. They also demonstrated a high level of knowledge of the management plans, specifically the implementation of the mitigation measures, monitoring, and reporting requirements.

4.4 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

Based on information provided, no agency notices, orders, penalty notices and prosecutions were noted for the site during the IEA period.

4.5 Complaints

Based on audit interviews and documentation provided during the audit, there were 38 complaints received within the audit period. A summary of these complaints and investigations are outlined in **Table 10.** Details of each complaint and the outcome are included in the Annual Reports.

Table 10. Summary of Complaints received in the audit period

Complaint Type	No. of Complaints	Complaint Details	Investigation Results
2020 - Nine Complaints			
Noise & vibration	7	• Train arrival/departures • Drilling.	• A noise consultant was engaged to undertake a noise assessment and advised the noise was within the allowable limits. • Noise monitoring program was developed and approved by DPIE (now DPE) • Drilling activities were determined not to be mine related
		• Vibrations being felt within a residential property • Rattling of windows	• Investigations determined the vibrations felt within the property were not mine related • Rattling windows were modified with Landowner agreement
Water	1	Discharge quality and aesthetics	The investigation determined this was not mine related
Bushfire Hazard	1	Fallen tree across a fire trail road	Reported to RFS who removed the hazard
2021 - Seventeen Complaints			
Noise & vibration	10	• Train arrival/departures • Loud bang	Investigations determined the noise levels within allowable limits
		Vibrations on dwelling floor	The investigation determined there was no correlation with CHPP or mining activities and vibrations felt
Water	2	• Turbid waters in creek system • Potential dam issue	Investigations into dam and discharge points identified that turbid waters were not mining related
Social Media	4	Complaints involving mine employees behaviour	Shift brief regarding code of conduct provided to all employees
Miscellaneous	1	Signage removed from a property fence	No evidence Tahmoor Coal employees were involved
2022 - Twelve Complaints			
Noise & vibration	4	• Siren noises • Noise associated with a mine dozer	All complaints were investigated, mitigation measures implemented (where required) and closed out
		vibration on a residents window	

Complaint Type	No. of Complaints	Complaint Details	Investigation Results
Road drainage	3	Road drainage issues on Council strip near coal mine owned property cause by heavy rainfall	The matter was referred to Council to address
Disposal of debris	2	• Disposal of a small amount of concrete on a neighbouring residential property by a Tahmoor Coal contractor • Discarded vegetation under a rail overpass	• Investigation confirmed concrete disposal did occur and Tahmoor Coal no longer engage this contractor • A contractor engaged to remove vegetation
Miscellaneous	3	• Tahmoor Coal security conducting U-turns on residents nature strip • Unfavourable behaviours by a Tahmoor Coal consultant • Chemical compound in an assumed Aboriginal Heritage site near creek remediation works	• Direction given to security to cease driving on residential property nature strips • Consultancy firm contacted and behaviour reported, apology provide to resident • Investigation confirmed the chemical compound was not located within an Aboriginal cultural heritage area and the compound was constructed in accordance with the approved control plans

4.6 Incidents and Non-Compliances

A total of four non-compliances and sixteen incidents were recorded within the audit period as outlined in **Table 11**.

Table 11. Summary of Incidents and Non-Compliances received in the audit period

Complaint Type	No. of complaints	Incident / Non-conformance	Detail	Investigation Results
2020: One Incident and Ten Non compliances[1]				
Water	3	Non-conformance	Turbid water: • Sediment accumulation at LDP1 resulting in sediment laden waters • Release of turbid water via LDP1 • Creek upstream of LDP1 cleaned out without controls	Works ceased and immediate mitigation measures were implemented.
Subsidence	7	Incident	• Tension cracks at rail embankment • Compression hump • Impacts to residential properties including cracking, ceiling bowing, pier movement and slippage and water leaks • Depressurization of groundwater aquifers exceeding 2 m reduction below lowest pre-mining levels	Investigations were undertaken for each incident and mitigation and or rectification measures were implemented.
2021: One Incident and Seven Non compliance				
Dust	1	Non-conformance and an Incident	Frequency of monitoring was not in accordance with the EPL 1389 requirements	Investigation determined this was due to a power fault, which was rectified
Subsidence	3	Incident	Creek pool level dropped	Continued long term monitoring
			Cracking and spalling of culverts	Site inspections were undertaken by structural engineer and archaeologist, remediation actions to be implemented after LW extraction
			Stone quarry Creek Rockbar TARP triggered	TARP implemented and monitoring increased, increased control implemented.
Noise	1	Incident	Increase in noise emissions recorded during monitoring	Investigation determined this was a result of a meteorological conditions influencing the monitoring results.
2022: Four Incidents; No Non compliance				
Pit top-bathhouses	3	Incident	Bodywash spills in bathhouses	Spills all contained and cleaned up; additional measures implemented to prevent future issues
Underground	1	Incident	Diesel spill.	This incident was a result of a delivery line failure. The spill was contained, and precautionary controls installed in the surface dam network,

Complaint Type	No. of complaints	Incident / Non-conformance	Detail	Investigation Results
				additional work order checks for lines implemented.

[1] The 2020 non-compliances identified in this Table were assessed as part of the 2020 IEA audit.

4.7 Subsidence Events

There were eleven subsidence incidents or management reporting notifications to Government agencies during the reporting period, inclusive of five TARP notifications.

A summary of the subsidence event notifications are outlined in **Table 12**.

Table 12. Subsidence Event Notifications

Date	Location	Incident Reported
16/04/2020	Picton to Mittagong Loop line	Tension crack at rail embankment
18/9/2020	Booyong Close Picton between Pegs B2 and B3	Two compression humps resulting in impacts to cobblestone paving
13/10/2020	Stonequarry Creek Road, Picton located between Pegs S26 to S28	Residential property – ceiling deflection
3/11/2020	Road surface of 5 Carramar Close, Picton between Pegs C5 and C9	Cracking in two locations impacting bitumen road surface
24/11/2020	Booyong Close, Picton located between Pegs B3 to B5	Pier movement and cut slippage
25/11/2020	Carramar Close, Picton at Peg C9	Water leak
30/12/2020	Piezometers P12 (intake P12C), P13 (intake P13C), P16 (intakes P16B and P16C), and TNC36 (intakes at 65, 97 and 169 metres below ground level)	Level 4 TARP triggered – depressurisation of groundwater aquifers exceeding a 2 m reduction below lowest pre-mining level
23/02/2021	Cedar Creek – Pool CR14	Level 4 TARP triggered – surface water level drop
21/09/2021	Two culverts at 88.400km and 88.980km on the PMLL	Level 3 Historical Heritage TARP triggered - cracking
28/10/2021	Stonequarry Creek Rockbar downstream of pool SR17	Level 3 TARP triggered – minor fracturing (no loss of water or heritage value),
22/12/2022	Monitoring site TT9	Level 1 TARP triggered – pool reduction level

Subsidence monitoring is undertaken in accordance with the approved extraction plans and subsidence reports are submitted on a 6 monthly basis, which are distributed to Council and are published on the Tahmoor Coal website. Details of subsidence events, TARPs and notifications are reported in the Annual Review Reports.

5 RECOMMENDED ACTIONS

A total of three non-compliances and three opportunities for improvement (carry over from the 2020 IEA) were identified during this IEA. The actions recommendations to address these findings are outlined in

Table 13. Recommended Actions for Non Conformances and Opportunities for Improvement

Unique Identification	Relevant Condition/Aspect	Recommended Actions	Due Date
EPL 1389			
NC-01	A3.1 M2.1 M2.2	The non-compliances relates to an event that occurred in the past, which was rectified prior to this IEA, and there have been no further non-conformances. Therefore there are no actions that could be implemented to address the matter.	NA
REC-01	Water Treatment	Continue to progress the commissioning of the Water Treatment Plant	31/12/2023
Other Recommendations			
REC-02	Dangerous Goods/Hazardous Chemicals	Undertake regular inspections of works areas and monitor for hydrocarbon spill, clean up and dispose of waste appropriately	As required
REC-03	Subsidence	Ensure all development approved by SA NSW is compatible with the predicted subsidence effects at Tahmoor.	As required

6 CONCLUSION

This IEA has been prepared for Tahmoor Coal to meet conditions 50 and 51 of the Development Approval DA 67/98.

The IEA was undertaken in accordance with the *Independent Audit Guideline (DPIE, 2020)* and assessed compliance with:

- Development Approvals:
  - DC 1975
  - DA 57/93
  - DA 67/98
- Environment Protection Licence - EPL 1389
- Mining Leases (ML):
  - ML 1308
  - ML 1376
  - ML 1539
  - ML 1642
- Consolidated Coal Leases (CCL):
  - CCL 716
  - CCL 747

The IEA was undertaken between 16 March 2023 and 25 May 2023 and captured evidence for the period August 2022 to May 2023.

Overall, the Applicant demonstrated compliance against **98%** of the IEA criteria. A total of 239 individual conditions were audited, of which 101 (inclusive of items identified as notes for information) were not triggered during the audit period. Of the remaining 138 conditions, 135 were deemed compliant and three were identified as non-compliant.

A number of positive observations were noted during the site inspection and audit interviews:

- Site personnel demonstrated a high level of knowledge and understanding of:
  - Environmental roles and responsibilities
  - Environmental compliance, specifically mitigation measures, and monitoring and reporting requirements (outlined in relevant management plans)
- Site personnel were committed to ensuring operations had minimal impact on the surrounding environment, particularly in relation to noise, vibration, dust and rehabilitation
- Monitoring data / records were well maintained
- Management Plans and sub-plans were comprehensive and addressed the requirements of the approval conditions:
  - There was no excessive noise or dust emissions observed during the site inspection
  - General housekeeping across the site was good, storage areas generally neat and tidy, workshop organised, appropriate signage around the site
  - Dangerous goods and hazardous materials were stored appropriately: in sealed, bunded, roofed areas, appropriate signages was present, spill kits and firefighting equipment present
  - Waste was segregated and stored appropriately
  - Monitoring points were sign posted
- Evidence of rehabilitation occurring at the reject emplacement area
- Environmental performance is addressed in the annual review reports:
  - Provided to relevant stakeholders and are also made available on the website
- Regular consultation with stakeholders and the community occurs through:
  - Attendance with committee meetings
  - Newsletters
  - Resident information packs
  - Involvement in community programs

General areas for improvement include:

- Continue to monitor hydrocarbon spills and clean up as required, particularly near the workshop and any areas where they are stored/used
- Continue to progress with the commission the Water Treatment Plant in accordance with the requirements of EPL 1389 (due December 2023)
- Continue to provide notifications to relevant landowners of any monitored exceedances as required by Condition 40 of DA67/89 (note: this was identified as a NC in the 2020 IEA; however actions were implemented, and the status has been identified as “ongoing as required”)
- Subsidence - ensure all development that is approved by SA NSW is compatible with the predicted subsidence effects at Tahmoor (note: this was identified as a recommendation in the previous IEA with a status of “ongoing as required”)

Finally, the IEA team would like to thank all the IEA participants for their time, assistance, and cooperation in undertaking this audit.

7 REFERENCES

Department of Infrastructure, Planning and Natural Resources, 2004, *Environmental Management Plan Guideline: Guideline for Infrastructure Projects*, Sydney, New South Wales

Department of Planning, Industry and the Environment, 2020, *Requirement 2, Independent Audit - Post Approval Requirements*, Sydney, New South Wales

International Organization for Standardization, 2018, *ISO 19011:2018 Guidelines For Auditing Management Systems*

8 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared the following report for the exclusive benefit of SIMEC (Client) and for the singular purpose of the IEA at Tahmoor Coal Mine NSW. All interpretations, finding or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

The following report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

g. released to any other person, whether in whole or in part
h. used or relied upon by any other party
i. filed with any Governmental agency or other person or quoted or referred to in any public document

This report has been prepared based on information provided by the Client and other parties. In preparing this report Epic:

a. presumed the accuracy of the information provided by the Client (including its representatives)
j. has not undertaken any verification to the accuracy or reliability included in this information (with the exception where such verification formed part of the scope of works)
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In recognition of the limited use of this report, the Client agrees that, to the maximum extent permitted by law, Epic (including its representatives and related entities) is not liable for any losses, claims, costs, expenses, damages (whether pursuant to statute, in contract or tort, for negligence or otherwise) suffered or incurred by the Client or any third party as a result of the information, findings, opinions, estimates, recommendations and conclusions provided in this report.

Without limiting the above, Epic (including its representatives and related entities) is not liable, in any way whatsoever:

b. for the use or reliance of this report for any purpose other than that for which it has been prepared
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n. where another person has a different interpretation of the same information contained in the report
o. for any consequential or indirect losses, or for loss of profit or goodwill or any loss or corruption of any data, database or software

If a section of this disclaimer is determined by any court or other competent authority to be unlawful and/or unenforceable, the other sections of this disclaimer continue in effect. Where further information becomes available, or additional assumptions need to be made, Epic reserves its right to amend this report, but is not obliged to do so.

APPENDIX A PLANNING SECRETARY IEA TEAM APPROVAL

Department of Planning and Environment

Ms Zina Ainsworth
Environment & Community Manager
SIMEC Mining
2975 Remembrance Driveway
Tahmoor NSW 2573

13/03/2023

Dear Ms Ainsworth

Tahmoor South Coal Project (SSD 8445) and Tahmoor Coal Mine (DA 67/98)
Independent Environmental Audit 2023

I refer to your letter of 10 March 2023 seeking approval of Mr David Campbell, Ms Kirsty Douglas and Mr Chris Griffiths of Epic Environmental Pty Ltd (the audit team) for the upcoming Independent Environmental Audit of Tahmoor South Coal Project and Tahmoor Coal Mine (the developments), in accordance with Schedule 2, Condition E16 of development consent SSD 8445 and Schedule 2, Condition 50 of development consent DA 67/98, as modified (the consents).

Having considered the qualifications and experience of the audit team, the Planning Secretary endorses the appointment of the audit team to undertake the audit in accordance with Schedule 2, Condition E15 and Schedule 2, Condition 50 of their respective consents. This approval is conditional on the audit team being independent of the developments and maintaining Exemplar Global certification. The department reserves the right to request an alternate auditor or audit team for future audits.

Please ensure this correspondence is appended to the Audit Report.

The audit is to be conducted in accordance with the AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and the Independent Audit Post Approval Requirements (Department 2020 or as updated). A copy of the guideline can be located at http://planning.nsw.gov.au/Policy-and-Legislation/Mining-and-Resources/Integrated-Mining-Policy.

The audit report is to include the following:

1. consultation with the relevant agencies and the CCC;
2. a compliance table indicating the compliance status of each condition of consent and any relevant EPL;
3. not use the term “partial compliance”;
4. recommend actions in response to non-compliances;
5. review the adequacy of plans and programs required under this consent; and
6. identify opportunities for improved environmental management and performance.

Within two months of undertaking the independent audit site inspection, Tahmoor is to submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Planning Secretary, it is recommended that Tahmoor review the report to ensure it complies with the relevant consent condition.

Failure to meet these requirements will require revision and resubmission of the Audit Report.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely



Katrina O'Reilly
Team Leader - Compliance
Compliance

As nominee of the Planning Secretary

APPENDIX B INDEPENDENT AUDITOR DECLARATION FORM

Epic Environmental Pty Ltd
ABN: 54 169 57 92 75

Suite 5
Level 9/ 189 Kent Street
Sydney, NSW 2000

1800 779 363
www.epicenvironmental.com.au

Memo

To: SIMEC – Tahmoor Coal	**From:** Kirsty Douglas	**Attention:** Planning Secretary
Project name: Tahmoor Coal - Independent Environmental Audit		
Project number: SAA230003.01	**Date:** 1 June 2023	
Subject: Independent Audit Report Declaration (post audit)		

Project Number	SAA230003.01
Consent Number	DA 67/98
Description of Project	Tahmoor Coal - Independent Environmental Audit
Project Address	2975 Remembrance Driveway, Bargo NSW 2574
Proponent	SIMEC – Tahmoor Coal
Title of Audit	Independent Environmental Audit
Date	01/06/2023

Independent Audit Report and to the best of my knowledge:

i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (DPIE, 2020)*;
ii. the findings of the audit are reported truthfully, accurately and completely;
iii. I have exercised due diligence and professional judgement in conducting the audit;
iv. I have acted professionally, objectively and in an unbiased manner;
v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a. Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000;and

b. The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor	**Kirsty Douglas**
Signature	
Qualification	**Lead Auditor (Exemplar Global, No. 210439), BEnvSci, Cert IAP2 Australasia (Engagement)**
Company	**Epic Environmental Pty Ltd**
Company Address	**Suite 5, Level 9, 189 Kent Street, Sydney, NSW, 2000**

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v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

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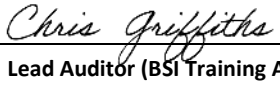
b. The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor	**Chris Griffiths**
Signature	
Qualification	**Lead Auditor (BSI Training Academy), BSci (Environmental Management)**
Company	**Epic Environmental Pty Ltd**
Company Address	**Suite 5, Level 9, 189 Kent Street, Sydney, NSW, 2000**

APPENDIX C IEA PLAN



Audit Plan

SIMEC
Tahmoor Coal– Independent Environmental Audit
Tahmoor NSW
SAA230003.01
24 March 2023

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DOCUMENT CONTROL

Revision	Revision date	Revision details	Author	Editorial review	Technical review	Approver
A	24/03/2023	Draft for Internal Review	GH	KD	KD	KD
0	24/03/2023	Final for Issue	KD	DC	DC	KD
1	3/03/2023	Revised Final for Issue	KD	CG	CG	KD
2	5/04/2023	Minor Amendment (non-technical)	KD	CG	CG	KD

DISTRIBUTION

Revision	Revision date	Issued to
0	24/03/2023	Thomas O'Brien
1	03/04/2023	Thomas O'Brien
2	05/04/2023	Thomas O'Brien

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Author:	Kirsty Douglas
Project manager:	Chris Griffiths
Client:	SIMEC
Document title:	Audit Plan
Project number:	SAA230003.01

1 INTRODUCTION

Epic Environmental Pty Ltd (Epic) has been engaged by SIMEC Mining (SIMEC) to undertake two independent environmental audits (IEA) at Tahmoor Coal on Old Hume Highway, Bargo NSW (the site):

- Development Consent for a State Significant Development (SSD) - SSD 8445
- Development Application - (DA) 67/98

This document provides a detailed IEA plan to guide the execution and reporting of the IEA. The IEA plan should be reviewed by SIMEC and issued to relevant auditees prior to the execution of the IEA.

1.1 Purpose

The purpose of the audit is to:

As per Condition E15 of SSD 8445 – Tahmoor South Coal Project (due mid-April) and Condition 50 of DA 67/98 – Tahmoor Coal Mine (due September 2023), an IEA is required to be conducted in accordance with the Department of Planning and Environment 's *Independent Audit Post Approval Requirements (2020).*

The audits will be undertaken simultaneously in order to align future timing of the IEAs.

1.2 Scope

The IEA scope will include activities undertaken at the site, in relation to the operation of the Tahmoor Coal Mine, NSW.

1.3 Objectives

The key objectives of the IEA are to:

- Assess whether operations are being undertaken from an environmental point of view in accordance with best practice, standards, and legislative requirements
- Assess the overall environmental performance of the project on the surrounding environment and sensitive receptors
- Review the implementation of environmental management plans developed in accordance with the conditions of consent and the development approval
- Provide recommendations for the overall improvement of environmental performance of the project

1.4 IEA Criteria

The IEA criteria are the requirements which the site will be assessed against. The IEA criteria for the site will be as follows:

- Conditions of SSD 8445: Schedule 2 Parts A- E
- Conditions of DA 67/98
- EPL 1389
- The OEMP and relevant subplans

2 IEA PLANNING

2.1 IEA Team

The IEA team members have been provided in **Table 1**. In accordance with Condition E16 of the SSD 8445 and DA 67/98, an approval for the appointment of the independent audit team for the IEA has been granted by the Department of Planning and Environment (13/03/2023).

Table 1. IEA Team

Person	Role	Years' Experience	Qualification
Kirsty Douglas	Lead Auditor	17	Lead Auditor (Exemplar Global, No. 210439), BEnvSci (Conservation Biology and Ecology), GCert IAP2 Australasia
David Campbell	Technical Reviewer, Audit Assistant	17	Principal Auditor (Exemplar Global, No. 115051), BSc, AUSRIVAS certified, IECA SQP (no. SQP054), CPESC-IT (# 12577)
Chris Griffiths	Project Manager / Audit Assistant	17	Lead Auditor (BSI Training Centre), DSCi (Environmental Management)

2.2 SIMEC Staff Participation Requirements

2.2.1 SIMEC Representative

Thomas O'Brien will act as the SIMEC IEA representative during the completion of this IEA. Thomas will be responsible for organising meeting times, interview attendees and site inspection times.

2.2.2 Opening Meeting

The opening meeting will be held on site. The meeting will be facilitated by the IEA team and will be attended by select SIMEC personnel. SIMEC's IEA representative will be responsible for organising suitable time for undertaking the opening meeting.

2.2.3 Interviews

A number of key staff will be required to be interviewed during the IEA. The team members that may interviewed for the IEA mayl include:

- Site Environmental Representative
- Operations Manager
- HSE Representative

Interviews will be held both on site and via teleconference where additional time is required. The SIMEC IEA representative will be responsible for organising suitable times for undertaking the IEA interviews.

2.2.4 Site Inspection

A site inspection will be undertaken by Epic prior to the interviews being undertaken to provide an overview of the site and how it operates, as well as to visually verify compliance of certain conditions. The SIMEC IEA representative will liaise with relevant parties to obtain access and ensure persons are available to escort the IEA team around relevant areas of the site.

2.2.5 Close Meeting

The final closing meeting will be held after the site inspection and interviews are complete. The meeting will be facilitated by the IEA team and should be attended by all SIMEC interviewees. The SIMEC IEA representative will be responsible for organising a suitable time for undertaking the closing meeting.

2.3 IEA Program

Table 2. Proposed Program for the IEA

Proposed Time (NSW Time)	Proposed Date	Task Description	Locations	Who
Pre-IEA Preparations				
17:00	27/03/23	Preparation and provision of IEA Plan to SIMEC	Email	Epic
09:00 - 17:00	28/03/23	Provision of management plans required for the IEA	Email	SIMEC
09:00 - 17:00	28/03/23 – 04/04/23	Undertake a preliminary document review	Epic Offices	Epic
09:00 - 17:00	27/03/23 – 29/03/23	Develop the IEA tools	Epic Offices	Epic
IEA Phase				
09:00 – 09:30	04/04/23	Opening Meeting	Site	Epic, E&C and Operations Mgt
09:30 – 10:00	04/04/23	Tahmoor Presentation	Site	Epic and E&C
10:00 – 13:00	04/04/23	Site Inspection	Site	Epic & SIMEC
13:00 – 13:30	04/04/23	Lunch	Site	Provided by Tahmoor
13:30 – 16:30	04/04/23	IEA Interviews	Site	Epic and Env Reps
0:900 – 16:00	05/04/23	IEA Interviews	Site	Epic, E&C and Operations Mgt
16:00 – 16:30	05/04/23	Closing Meeting	Site	All
IEA Reporting				
17:00	11/04/23 – 21/04/23	Provision of additional evidence not obtained during the IEA phase	Email	SIMEC
09:00 - 17:00	01/05/23 – 05/05/23	Prepare the draft IEA reports	Epic Offices	Epic
17:00	05/05/23	Issue the draft IEA reports to SIMEC	Email	Epic
17:00	15/05/23	SIMEC provides comments on draft IEA report	Email	SIMEC
17:00	19/05/23	Issue the final IEA reports to SIMEC	Email	Epic

2.4 Communication Plan

All communication regarding the planning of the IEAs, information requirements and IEA execution will be either by email or phone to the SIMEC IEA representatives.

3 IEA EXECUTION

The following IEA methodology has been prepared with reference to:

- *Independent Audit – Post Approval Requirements* (NSW DPE, 2020)
- AS/NZS ISO 19011.2019 – *Guidelines for Auditing Management Systems*

3.1 IEA Scoring Criteria

The proposed compliance assessment ratings to be used in the IEA are outlined in **Table 3**.

Table 3. IEA Scoring Criteria

IEA Rating	Abbreviation	Definition
Compliant	C	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the condition or management plan requirement have been complied with within the scope of the IEA.
Non-compliant	NC	The Auditor has determined that one or more specific elements of the conditions or management plan requirements have not been complied with within the scope of the IEA.
Not Triggered	NT	A condition or requirement has a trigger that has not been activated during the defined IEA period (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

3.2 Develop Tools

The following tools will be prepared and utilised as part of the IEA program. These tools will assist in defining the scope of the IEA and will capture any issues identified during the IEA and allow discussion of potential recommendations on how these items can be rectified. The tools include:

- Opening meeting agenda and minutes
- Closing meeting agenda and minutes
- IEA checklist and interview questions

3.3 Undertaking the IEA

3.3.1 Document Review

With regard to the operations undertaken at the site, documentation provided by SIMEC prior to the IEA, will be reviewed to determine preliminary findings. These findings will be clarified with the SIMEC representatives during the IEA interviews and the site inspection (as required).

3.3.2 Conduct an Opening Meeting

An opening meeting will be conducted at the start of the IEA. The opening meeting will:

- Introduce the IEA team
- Confirm the IEA objectives, scope, and criteria
- Confirm communications channels
- Outline the IEA process and schedule
- Identify and set expectations and requirements
- Address Health and Safety requirements and confidentiality

Meeting minutes will be maintained and issued by Epic following the meeting.

3.3.3 Undertake Interviews

IEA interviews will be undertaken by the Lead Auditor. Questions delivered during the IEA interviews will be based on conditions or requirements applicable to the interviewee's area of responsibility. The SIMEC representative will be responsible for scheduling the IEA interviews with SIMEC personnel.

If any items of non-compliance are identified during the interview, they will be raised with SIMEC and noted in the report. If an item which poses a safety risk or risk of environmental harm, the SIMEC representative will be notified immediately.

3.3.4 Site Inspection

A SIMEC representative will be required to accompany the IEA team member on the site inspection and identify all locations requiring auditing. Photographs and measurements (where appropriate) will be taken of items of interest or items requiring corrective action. If any items of non-compliance are identified, they will be raised with SIMEC and noted in the report. If an item which poses a safety risk or immediate risk of environmental harm, the SIMEC representative will be notified immediately.

3.3.5 Conduct the Closing Meeting

A closing meeting will be conducted with SIMEC at the end of the IEA. It will provide an opportunity for the Auditor to outline positive and negative findings identified during the IEA, SIMEC to respond or clarify any findings, and the Auditor to confirm the process following the IEA. Meeting minutes will be maintained and issued following the meeting.

3.3.6 IEA Findings

The findings of the document review and interviews will be assessed and each finding assigned a rating within the IEA checklist. Once complete the IEA checklist will be provided (in excel format) to SIMEC for a review and response to each finding. Each SIMEC response to a non-compliance must also specify actions and the completion timing (dd/mm/yyyy) of such actions that are to be taken in response to the non-compliance. For each opportunity for improvement SIMEC must provide reasons if they propose not to implement any measures or make any changes in response.

3.3.7 IEA Report

Once the findings are assessed, rated, and reviewed, an IEA report will be prepared. The IEA report will include:

- Introduction, including:
  - Background of the site
  - The IEA team
  - The objectives of the IEA
  - The IEA scope
  - The IEA period
- The IEA method, including
  - Development of IEA scope
  - A summary of the IEA process adopted to determine the compliance status
  - A list of the approvals and documents reviewed
  - Details of personnel interviewed including their name and position title
  - Details of site inspections undertaken
  - A summary of the consultation undertaken prior to the IEA
  - Meanings of compliance status descriptors used, as set out in this document
- The IEA findings, including
  - A summary of the assessment of compliance
  - Details of notices, orders, penalty notices or prosecutions issued in relation to the consent during the IEA period
  - Exception reporting of all non-compliances identified during the IEA period
  - A discussion of the status of actions arising from previous IEAs and the progress or outcomes of each action

  - A discussion of whether the OEMP, Sub-plans and compliance documents are adequate and implemented
  - A discussion of other matters considered relevant during the IEA
  - A summary of complaints, and the adequacy of the response to, and management of complaints
  - Details of any incidents and the adequacy of the response to, and management of such incidents
  - An assessment of the compliance between actual and predicted impacts documented in the environmental impact assessment
  - Evidence collected through site inspections undertaken during the IEA
  - Any continual environmental management improvement opportunities identified as part of the IEA
  - Positive observations identified by the Auditor related to environmental management and performance
- Recommendations and opportunities for improvement
- The following appendices:
  - Complete IEA checklist including responses to findings
  - A copy of documentation from the Planning Secretary agreeing to the IEA Team
  - Documentation detailing consultation with the Department, and other agencies or stakeholders
  - Completed and signed IEA Declaration Form
  - Site inspection photographs

4 GENERAL IEA MATTERS

4.1 Logistical Arrangements for the IEA

Transport to and from the site and accommodation will be organised by Epic. The SIMEC representative will organise site personnel to escort Epic representatives on site, arrange appropriate meeting rooms and staff for interviews and all teleconference arrangements (as required).

4.2 Safety Matters

The IEA team will complete the SIMEC visitors' inductions prior to undertaking the site inspection. The IEA team will be escorted at all times by a SIMEC representative.

In accordance with the site requirements, the following PPE will be worn by the IEA team members:

- Long pants
- Long sleeve shirt
- Steel cap work boots
- Protective eyewear
- Hard hat

4.3 Matters Related to Confidentiality

All information supplied, sighted, and disclosed as part of this IEA will remain confidential. Outcomes of the IEA will be provided to SIMEC.

4.4 Auditors Code of Conduct

All certified Auditors have an obligation to improve the standing of their profession by observing the Exemplar Global Code of Conduct (Code). Compliance with the Code is a condition of certification and all Auditors have signed an agreement to comply with the Code and are required to confirm that they have complied with the Code at each period of surveillance and re-certification.

Code of Conduct

- Auditors will act professionally, accurately and in an unbiased manner.
- Auditors will strive to increase the competency and prestige of the profession.
- Auditors will assist those in their employ or under their supervision in developing their professional competency.
- Auditors will not undertake any assignments that they are not competent to perform.
- Auditors will not represent conflicting or competing interests and will disclose to any client or employer any relationships that may influence their judgment.
- Auditors will not discuss or disclose any information relating to any assignment unless required by law or authorised in writing by the client and/or their employing organization.
- Auditors will not accept any inducement, commission, gift or any other benefit from client organizations, their employees or any interested party or knowingly allow colleagues to do so.
- Auditors will not intentionally communicate false or misleading information that may compromise the integrity of any assignment or the personnel certification process.
- Auditors will comply with Exemplar Global Certification Requirements, procedures and advisories which are relevant to their profession or certification.
- Auditors will not act in any way that would prejudice the reputation of Exemplar Global or the personnel certification process and will cooperate fully with an enquiry in the event of any alleged breach of this code.

4.5 Key Contacts

Table 4. Key Contacts

Name	Company and Position	Phone	Email
Thomas O'Brien	SIMEC Representative	0429 319 044	Thomas.obrien@simecgfg.com
Kirsty Douglas	Epic, Lead Auditor	0410 410 373	kdouglas@epicenvironmental.com.au
David Campbell	Epic, Audit Technical Reviewer/ Assistant	0414 354 944	dcampbell@eoicenvironmental.com.au
Chris Griffiths	Epic, Project Manager /Assistant	0498 863 242	cgriffiths@epicenvironemntal.com.au

5 LIMITATIONS AND DISCLAIMER

Epic Environmental Pty Ltd (Epic) has prepared this report for the exclusive benefit of SIMEC (Client) and for the singular purpose of documenting an IEA plan for the 2023 Tahmoor Coal Independent Environmental Audits of DA 67/98 and SSD 8445. All interpretations, findings or recommendations outlined in this report should be read and relied upon only in the context of the report as a whole.

This report cannot be relied upon for any other purpose, at any other location or for the benefit of any other person, without the prior written consent of Epic. Except with Epic's prior written consent, this report may not be:

- Released to any other person, whether in whole or in part;
- Used or relied upon by any other party; or
- Filed with any Governmental agency or other person or quoted or referred to in any public document.

This report has been prepared based on information provided by the Client and other parties. In preparing this report Epic:

- Presumed the accuracy of the information provided by the Client (including its representatives);
- Has not undertaken any verification to the accuracy or reliability included in this information (with the exception where such verification formed part of the scope of works);
- Has not undertaken any independent investigations or enquiries outside the scope of works with respect to information provided for this report; and
- Provides no warranty or guarantee, expressed or implied, as to the accuracy or reliability of the information provided in this report.

In recognition of the limited use of this report, the Client agrees that, to the maximum extent permitted by law, Epic (including its representatives and related entities) is not liable for any losses, claims, costs, expenses, damages (whether pursuant to statute, in contract or tort, for negligence or otherwise) suffered or incurred by the Client or any third party as a result of the information, findings, opinions, estimates, recommendations and conclusions provided in this report.

Without limiting the above, Epic (including its representatives and related entities) is not liable, in any way whatsoever:

- For the use or reliance of this report for any purpose other than that for which it has been prepared;
- For any use or reliance upon this report by any person other than the Client;
- Where another person has a different interpretation of the same information contained in the report;
- For any consequential or indirect losses, or for loss of profit or goodwill or any loss or corruption of any data, database, or software.

If a section of this disclaimer is determined by any court or other competent authority to be unlawful and/or unenforceable, the other sections of this disclaimer continue in effect. Where further information becomes available, or additional assumptions need to be made, Epic reserves its right to amend this report, but is not obliged to do so.

CONTACT US

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APPENDIX D OPENING MEETING MINUTES

Epic Environmental Pty Ltd
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Sydney NSW 2000

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AUDIT-IN-CONFIDENCE

OPENING MEETING AGENDA

Project: SIMEC Tahmoor Coal 2023 Independent Environmental Audit (IEA) of SSD 8445 & DA 67/98		
Auditee	SIMEC	
Meeting Date and Time	4/4/2023; 9:00am	
Register of Attendees	**Name**	**Signature**
	Epic Representatives	
	Kirsty Douglas (Epic)	
	Gabby Head (Epic)	
	SIMEC (Tahmoor Coal) Representatives	
	Thomas O'Brien	
	Zina Ainsworth	
	Natalie Brumby	
	Pushkin Rahman	
	April Hudson	
	Jason Prestwidge	
	Clint Mason	
	Ross Barber	
	Allen Bind	
Agenda Item	**Notes**	
Safety Share	Fall at heights (fit for purpose equipment) (Tahmoor) Unknown haft son site (Epic)	
Introduction: Audit team	Kirsty Douglas – Lead Auditor Chris Griffiths – Auditing Assistant Gaby Head – Audit Support	
Audit Purpose	The purpose of the audit is to undertake an independent environmental audit (IEA) for operations at the Tahmoor Coal Project in accordance with: • Condition E15 of SSD 8445 – Tahmoor South Coal Project (due mid-April) • Condition 50 of DA 67/98 – Tahmoor Coal Mine (due September 2023)	
Audit Scope	The IEA scope will include activities undertaken at the site, in relation to the operation of the Tahmoor Coal Mine, NSW. The IEA is required to be conducted in accordance with the Department of Planning and Environment 's Independent Audit Post Approval Requirements (2020). The audits will be undertaken simultaneously in order to align future timing of the IEAs.	
Audit Objective	The key objectives of the IEA are to: • Assess whether operations are being undertaken from an environmental point of view in accordance with best practice, standards, and legislative requirements • Assess the overall environmental performance of the project on the surrounding environment and sensitive receptors • Review the implementation of environmental management plans developed in accordance with the conditions of consent and the development approval • Provide recommendations for the overall improvement of environmental performance of the project	
Audit Criteria	The IEA criteria are the requirements which the site will be assessed against. The IEA criteria for the site will be as follows: • Conditions of SSD 8445: Schedule 2 Parts A- E • Conditions of DA 67/98	

	• EPL 1389 • The OEMP and relevant subplans
Audit Method	**In accordance with the:** Independent Audit Post Approval Requirements (May 2020) **Document Review** • With regards to the operations undertaken at the site, documentation will be reviewed against the standard to identify actual or potential non-conformances or opportunities for improvement **Conduct an Opening Meeting** • This meeting conducted at the start of the audit **Undertake Interviews** • Questionnaires will be developed prior to the audit • Objective evidence will be requested to confirm conformance or compliance **Site Inspection** • Photographs and measurements (where appropriate) will be taken of items of interest or items requiring corrective action • If any items of non-compliance/conformance are identified, they will be raised with SIMEC and noted in the report • If an item which poses immediate environmental harm or is causing immediate environmental harm is identified, SIMEC will be notified immediately **Conduct the Closing Meeting/s** • A closing meeting will be conducted with SIMEC at the end of the audit • It will provide opportunity for Epic to outline positive and negative findings identified during the audit, SIMEC to respond or clarify any findings, and the auditor to confirm the process following the audit • Epic will maintain meeting minutes and attendance records **Audit Reporting** • The findings of the document review and interviews will be assessed, and each finding assigned a rating • Once the findings are assessed and rated, an audit report will be prepared **Matters Related to Confidentiality** • All information supplied, sighted, and disclosed as part of this audit will remain confidential • Results of the audit will only be provided to SIMEC
Audit Scoring	The scoring assessment ratings will be as follows: **Compliant:** • The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the condition or management plan requirement have been complied/conformed with within the scope of the audit **Non- compliant:** • The auditor has determined that one or more specific elements of the conditions or management plan requirements have not been complied with within the scope of the audit **Not triggered:** • A condition or requirement has an activation or timing trigger that has not been met during the defined audit period (may be a retrospective or future requirement), therefore an assessment of compliance/conformance is not relevant **Opportunity for Improvement** • A condition is compliant, however possible improvements identified.

<table>
<tr><td>Audit Schedule</td><td>
<table>
<tr><td colspan="5">IEA Phase</td></tr>
<tr><td>09:00 – 09:30</td><td>04/04/23</td><td>Opening Meeting</td><td>Site</td><td>Epic, E&C and Operations Mgt</td></tr>
<tr><td>09:30 – 10:00</td><td>04/04/23</td><td>Tahmoor Presentation</td><td>Site</td><td>Epic and E&C</td></tr>
<tr><td>10:00 – 13:00</td><td>04/04/23</td><td>Site Inspection</td><td>Site</td><td>Epic & SIMEC</td></tr>
<tr><td>13:00 – 13:30</td><td>04/04/23</td><td>Lunch</td><td>Site</td><td>Provided by Tahmoor</td></tr>
<tr><td>13:30 – 16:30</td><td>04/04/23</td><td>IEA Interviews</td><td>Site</td><td>Epic and Env Reps</td></tr>
<tr><td>0:900 – 16:00</td><td>05/04/23</td><td>IEA Interviews</td><td>Site</td><td>Epic, E&C and Operations Mgt</td></tr>
<tr><td>16:00 – 16:30</td><td>05/04/23</td><td>Closing Meeting</td><td>Site</td><td>All</td></tr>
<tr><td colspan="5">IEA Reporting</td></tr>
<tr><td>17:00</td><td>11/04/23 – 21/04/23</td><td>Provision of additional evidence not obtained during the IEA phase</td><td>Email</td><td>SIMEC</td></tr>
<tr><td>09:00 - 17:00</td><td>01/05/23 – 05/05/23</td><td>Prepare the draft IEA reports</td><td>Epic Offices</td><td>Epic</td></tr>
<tr><td>17:00</td><td>05/05/23</td><td>Issue the draft IEA reports to SIMEC</td><td>Email</td><td>Epic</td></tr>
<tr><td>17:00</td><td>15/05/23</td><td>SIMEC provides comments on draft IEA report</td><td>Email</td><td>SIMEC</td></tr>
<tr><td>17:00</td><td>19/05/23</td><td>Issue the final IEA reports to SIMEC</td><td>Email</td><td>Epic</td></tr>
</table>
</td></tr>
<tr><td>Audit Report</td><td>A draft audit report will be prepared for SIMEC’s review and comment. Based on one round of consolidated review comments a final audit report will be submitted to SIMEC.</td></tr>
<tr><td>Closing Meeting</td><td>At the closing meeting, Epic will present preliminary findings, these may change as the final document review is completed.</td></tr>
<tr><td colspan="2">General Items</td></tr>
<tr><td>Auditors Code of Conduct & Confidentiality</td><td>All certified auditors have an obligation to improve the standing of their profession by observing the Exemplar Global Code of Conduct (Code). Compliance with the Code is a condition of certification and all auditors have signed an agreement to comply with the Code and are required to confirm that they have complied with the Code at each period of surveillance and re-certification.

All information supplied, sighted and disclosed as part of this audit will remain confidential. Outcomes of the audit will only be provided to the Principal.</td></tr>
<tr><td>Safety</td><td>At the time of the audit, the auditors will be escorted at all times by a SIMEC Representative. The auditors will wear standard PPE.</td></tr>
<tr><td>Resources and Facilities Available</td><td>Toilet, meeting rooms etc will be available to the auditors at the time of the site inspection</td></tr>
<tr><td>Expectation from Auditors and Auditees</td><td>Please be respectful of everyone’s time and log into meetings at your allotted times to the interviews can be carried out, as scheduled.</td></tr>
<tr><td>Questions</td><td></td></tr>
</table>

APPENDIX E INDEPENDENT ENVIRONMENTAL AUDIT TABLE

Tahmoor Coal
2023 Independent Environmental Audit
1975 Consent

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General - Report 75/41					
1	That Development Consent be granted to Clutha Development Pty. Ltd. for the construction of a Coal Mine and associated facilities on lands within the Parishes of Couridjah and Wargo subject to the following general conditions in addition to any conditions attached to the development of specified sites: a) The Company confirming the verbal advices of their Chief General Manager that all coal from the outset will be taken from the Central site by Rail Transport.	Compliant	1. Letter - Proposed Mine and Associated Facilities (Clutha Developments Pty Ltd, 16/04/1975)	Letter acknowledges acceptance of the conditions	
	b) The Company shall ensure that background noise levels in the vicinity of its operational sites, attributable either wholly or in part to its operations, shall not exceed 20dBA at the nearest existing dwelling. This requirement shall not apply to noise caused by construction work or road transport operations, if levels in excess of the 20dBA are considered by Council to be unavoidable.	Not Triggered	1. Consent DA57/93	The requirements of this condition were superseded by the DA57/93 consent. Noise monitoring results demonstrating compliance with the requirements of the 1993 consent are reported in the annual report.	
	c) The Company shall strictly comply with all plans presented to Council unless an amendment to those plans has been specifically approved in writing by Council.	Not Triggered		Condition is historical, however, the development of Management plans includes consultation with relevant agencies including Council.	
	d) The Company shall submit further Building applications in respect of buildings and structures, giving detailed information concerning dimensions, architectural treatment and building materials, when such information becomes available.	Not Triggered		No building applications were submitted during the audit period	
	e)The Company shall produce further evidence, supported by the N.S.W Department of Mines, to satisfy Council that mines subsidence will not be a significant problem, and sufficient security for landowners.	Compliant	1. Letter - Proposed Mine and Associated Facilities (Clutha Developments Pty Ltd, 16/04/1975)	The letter includes a statement that the matter of subsidence has been discussed with the Chief inspector of Mines who agrees subsidence will not be a significant problem. Six monthly subsidence impact assessments are undertaken and the reports are published on the sites website.	
	f) The Company shall consult with Council's Bush Fire Committee concerning the appropriate fire control measures, and shall take whatever steps the Committee may require to implement such measures.	Compliant	1. Tahmoor South - Bushfire Management Plan Rev 3.0 (TAH-HSEC-377, 19/10/2022) 2. Audit interviews.	The Bushfire Management Plan includes a section for consultation. Section 3.4 Table 5 identifies consultation was undertaken with NSW RFS. Section 3.3 outlines consultation with the Wollondilly / Wingecarribee Bushfire Management Committee The Auditee confirmed that regular consultation with Council and the RFS occurs.	
	g) No construction operations shall commence until Council has indicated in writing to the Company that it is satisfied in relation to the above matters.	Not Triggered		Construction completed outside of this audit period.	
	h) During construction operations at night, blasting shall be prohibited and floodlighting restricted to an absolute minimum. The Company or its Contractors shall comply immediately with any stop-work notices issued by Council.	Not Triggered		Construction completed. No blasting occurs on site.	
	i) The Company shall itself obtain all necessary approvals form he other relevant statutory authorities, with the exception of the N.S.W Planning & Environment Commission and the Minister for Planning and Environment.	Compliant		Several other approvals granted since 1975.	
	j) The Company shall indemnify the Council from any action, suit, claim or demand arising from any action or thing which it may be permitted or required to do under the terms of this approval.	Not Triggered	1. Letter - condition withdrawn (Wollondilly Shire Council, 19/05/1975)	The letter identifies that this condition is withdrawn.	

	k) On completion of mining activities the site shall be left safe, clean and tidy to the satisfaction of Council and including the following requirements: (i)Where required by Council all buildings shall be either removed or satisfactorily covered; (ii) The site shall be so treated that all batters are at a safe angle of repose; (iii) Exclusive only of sealed access roads, the surface area shall be satisfactorily graded, top-dressed to a depth of not less than 6" (152mm) and established with approved trees and grasses; (iv) The mine shaft shall be sealed in a substantial manner with adequate provision for drainage of the mine	Not Triggered	1. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 2. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)1	Mine closure addressed by the (MOP) and now the Rehabilitation Management Plan as well as the Rehabilitation Cost Estimate (RCE).	
Coal Mine Central Service Site - report 75/42					
2	That Development consent for this site be granted subject to the following conditions:				
	a) compliance the conditions adopted following consideration of Town Planner's Report No. 75/41;	Not verified		Historical condition - outside of the audit period	
	b)submission and approval by Council of a detailed landscaping plan;	Not verified		Historical condition - outside of the audit period	
	c)construction of the proposed parking area and access road to Council's normal sealed standard, to the satisfaction of the Shire Engineer;	Not verified		Historical condition -carpark constructed outside of the audit period	
	d) approval of the proposed access to the Hume Highway by the Department of Main Roads and Police Traffic Branch;	Not verified		Historical condition - works occurred outside of the audit period	
	e) treatment and disposal of stormwater to the satisfaction of the Shire Engineer;	Not Triggered	1. Surface Water Management Plan Rev 3.0 (TAH-HSEC-371, 19/10/2022)	Stormwater is treated and released in accordance with the Stormwater Management Plan	
	f) the wastewater control dam having a designed overflow frequency of no more than once in 10 months;	Not Triggered	1. Tahmoor South - Water Management Plan Rev 3.0 (TAH-HSEC-369, 19/10/2022)	Waste water control dam constructed outside of the audit period. Waste water is treated and release d in accordance with the water management plan. Excess water is transferred from Dam M3 to dam M4and discharge to LDP1. Monitoring occurs for water being released off site	
	g) submission and approval by Council of detailed plans for the emergency coal stockpile;	Not verified		Historical condition - stockpile constructed outside of the audit period.	
	h) consultation with Council and if deemed necessary by the Council, the Metropolitan Water Sewerage & Drainage Board concerning the supply of drinking water to the site;	Compliant	1. Audit interview	Water supply is from Sydney Water	
	i) treatment and disposal of all effluent form the temporary bathhouse and toilet facilities by means of a 'package' sewerage works, to standards set by the State Pollution Control Commission and Health Commission;	Not Triggered		No temporary facilities onsite.	
	j) treatment and disposal of all effluent and sullage from the permanent toilet and washing facilities by means of a site-disposal septic unit, to the satisfaction of the Shire Health Surveyor;	Not Triggered		Superseded by the 1979 consent	
	k) construction and maintenance of a standard firebreak around the whole boundary of the property;	Compliant	1. Tahmoor South - Bushfire Management Plan Rev 3.0 (TAH-HSEC-377, 19/10/2022)	Section 13.2.3 identifies the requirement for firebreaks.	
	l) the name of the project being changed to that of "Bargo River Mine".	Compliant	1. Letter - Wollondilly Shire Council, 19/05/1975	The letter from Council state no objection to the use of the name "Tahmoor".	
Man- access shaft: Upcast Ventilation Shaft, etc Bargo Bridge Road, Couridjah - Report 75/43					

3	That Development consent for this site be granted subject to the following conditions: a) compliance with conditions (a), (b), (c), (e) and (h) recommended in Report 75/42; b) submission of additional evidence to satisfy Council that no alternative site could be obtained in a less populous area; c) no building or structure being located within 75 metres of the property boundary; d) outdoor lighting being restricted to 4.5 metre street standards; e) the Company discussing with Council the possible use of surplus lands fronting Nattai Street as a recreation reserve; f) access to the colliery facilities being limited to Bargo River Road at all times; g) the strengthening, at the Company's expense, of bridges and other structures along Bargo River Road prior to the road's use by heavy construction equipment , to the satisfaction of the Shire Engineer; h) prior to the commencement of normal mining operations, and at the Company's expense, the repair, widening and where necessary realignment of Bargo River Road to a 6 metre/80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bituminous plant-mix; i) treatment and disposal of all effluent and sullage by means of 'package' sewerage works, to a standards set by State Pollution Control Commission and Health Commission; j) it being understood by the Company that Council will not approve any additional facilities on the site over and above those already proposed	Not Triggered		The shat was never constructed - therefore this condition is not triggered.	
Man- access Shaft: Upcast Ventilation Shaft, etc - Rockford Road, Tahmoor - Report 77/44					
4	That Development consent for this application be granted subject to the following conditions: a) compliance with conditions (a), (c), (d), (i) and (j) recommended in Report75/43;				
	b) the strengthening, at the Company's expense, of bridges and other structures along Rockford Road, prior to the use of the road by heavy construction equipment;	Not Triggered		There are no bridges, therefore the condition is not triggered,	
	c) prior to the commencement of normal mining operations and at the Company's expense, the repair, widening and where necessary realignment of Rockford Road to a 6 metre 80 kmh standard, to the satisfaction of the Shire Engineer, and the resurfacing of the road with bituminous plant-mix;	Not Triggered		Commencement of operations occurred outside of the audit period.	
	d) the Company ensuring that no damage whatsoever is inflicted upon Warrabunda Reserve and the "Mermaid's Pool" as a result of the operations of itself or its contractors;	Not Triggered		Superseded by the 1979 consent	
	e) the discharge of all wastewater, stormwater and treated effluent into the Bargo River at a point downstream of "Mermaid's Pool",	Not Triggered		The discharge point is locate data LDP1.	
	f) submission and approval of a detailed landscaping plan for the area;	Not Triggered		Development did not occur in this area, therefore the condition is not triggered.	
	g) construction and maintenance of a standard firebreak around the whole boundary of the property.	Compliant			
Downcast Shaft – Stratford (Lisson) Road, Tahmoor – Report 75/45					
	That Development consent for this application be granted subject to the following conditions: a) noise levels from the temporary fan not exceeding 20dBA at the nearest existing house;	Not Triggered		This condition is superseded Development consent 57/93 - noise monitoring occur in accordance with the noise management plan. All monitoring results are reported in the annual reports.	
	b) construction of a man-proof cyclone fence around the shaft;	Not Triggered		Construction did not occur within the audit period.	
	c) extension of Stratford (Lisson) Road to the full frontage of the shaft site, and the road's construction throughout to Council's normal shale standards, to the satisfaction of the Shire Engineer, prior to the commencement of construction work at the shaft;	Not Triggered		Construction did not occur within the audit period.	
	d) regular watering during the shaft sinking and equipment operation, of any shale road constructed in accordance with condition (c) above, to the satisfaction of the Shire Engineer;	Not Triggered		Construction did not occur within the audit period.	
	e) blasting being prohibited during shaft-sinking operations at night, unless specifically approved in writing by Council or the responsible Senior Officer;	Not Triggered		Construction did not occur within the audit period. Blasting does not occur on site.	

5	f) floodlighting of the site being kept to an absolute minimum;	Compliant	1. Site inspection 2. Audit interviews	Lighting is installed to minimise impacts to the surrounding area.	
	g) the Company agreeing to comply with any stop-work notice issued by Council to be causing undue interference with the amenity of the neighbourhood;	Not Triggered		No stop work notices by Council have been issued in the audit period.	
	h) Excess sandstone from the shaft excavations to be stockpiled, at sites to be determined, for Council's use. The Meeting also decided to recommend to Council that the State Pollution Control Commission be advised of the approvals and conditions and that such will be held for a period of one (1) month to enable them to complete their examinations of the proposals. A further recommendation was that Council make application to the Minister for ,Planning and Environment for an amendment to the Interim Development Order No 7 (Wollondilly) to enable the application for the "central site" to proceed. In regards the letters of 'objections against the proposed mine development the Committee recommend to Council that the letters be received, the contents noted and the objectors advised accordingly.	Compliant	1. Letter - Wollondilly Shire Council, 19/05/1975	The letter accepts the company's offer.	

Tahmoor Coal
2023 Independent Environmental Audit
Development Application 67/98

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
	General				
1	The Applicant must carry out the development generally in accordance with the: (i) EIS, SEE (MOD 1), EA (MOD 2), EA (MOD 3), EA (MOD 4) and EA (MOD 5); and (ii) Statement of Commitments. *Note* : *The Statement of Commitments is reproduced in Appendix 3.*	Compliant	1. Site inspection 2. Audit interviews 3. Evidence supplied for all following conditions	Based on the findings of this audit, the development has been carried out generally in accordance with the EA and statement of commitments.	
1A	The Applicant must carry out the development in accordance with the conditions of this consent.	Compliant	1. Site inspection 2. Audit interviews 3. Evidence supplied for all following conditions	Based on the findings of this audit, the development has been carried out in accordance with the conditions of this consent. No non-compliances have been identified.	
1B	The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition 1 of Schedule 2. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition 1 of Schedule 2, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Note Only			
	Limit of Approval				
2	No second workings shall be undertaken under land which was zoned Residential 2(a) in Redbank or South Picton at the date of lodgement of the DA with Council. Second workings must not be undertaken under land which was zoned Industrial 4(a) at the date of lodgement of the DA with Council unless the Applicant has a binding compensation agreement with the landowner to the satisfaction of the Secretary in consultation with Resources Regulator.	Compliant	1. Figure 2: Tahmoor mining area and tenure Tahmoor South Domain Longwalls S1A to S6A Extraction Plan (2022) 2. Audit interviews	No workings have been undertaken underneath residential areas within the audit period. These areas are to the north and are complete. The Auditee confirmed that management plans and landowner agreements were in place prior to these areas being mined. Current workings are in the south as illustrated in the Tahmoor South Mine Plan	
3	The Applicant must submit a revised mine plan to the Secretary and Council within three months from the date of granting of a mining lease pursuant to this consent.	Compliant	1. Instrument of variation under the *Mining Act 1992* CCL 716 (1973) 2. Instrument of Renewal undersection 114 of the *Mining Act 1992* 1376 (Act 1992) 3. Audit interviews	The Auditee confirmed that no new mining leases had been granted within the audit period, however the consolidated coal lease 716 and mining lease 1376 were both renewed by the Department on 17/10/2022 and 28/3/2023 respectively.	
4	The approval for mining is for a period of 21 years from the date of granting of a mining lease pursuant to this consent.	Compliant	1. Audit interviews 2. Mining Lease approvals / variations (https://www.tahmoorcolliery.com.au/our-operations/licences/)	All mining leases were current at the time of the Audit.	

4A	Consistent with the requirements in this consent, the Secretary may make written directions to the Applicant in relation to: the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Secretary; and (ii) the implementation of any actions or measures contained in any such document referred to in condition 4A(i).	Compliant	1. Rehabilitation Management Plan(TAH-HSEC-402, 19/10/2022) 65, 2. Tahmoor Colliery Forward Program (FWP0001090, NSW Resources Regulator, 15/6/2022-14/6/2025) 3.Corrective Management Action Plan (CMAP) Quarterly Report - Triggered for surface water, Still enacting creek remediation - approved schedule 3. Audit interviews 4. Site inspection	Rehabilitation areas observed during the site inspection. Part 9 of the rehabilitation plan outlines the current rehabilitation research, modelling and trials: - Myrtle Creek Pool 23 remediated in 2020 (trial confirmed and refined the remediation methodology to other pools in Redbank and Myrtle Creeks, Remediation works are expected to be completed 2023 (as also outlined in the forward work program). CMAP - still being enacted (approved schedule Myrtle Creek completed in 2022; Redbank due2023) Consultation with the regulator occurs when changes are made.	
5	The Applicant must notify the Secretary and the Council in writing of the intended date of commencement of the first second workings in the area covered by this DA (DA 67/98) fourteen days prior to the commencement of such workings.	Compliant	1. Audit interviews	Commencement of the first second workings occurred outside of the audit period. The Auditee confirmed that notification Council and DPE occurred in September 2003.	
6	The Applicant must not: (i) cause subsidence within the two areas shown in black crosshatching in Figure 2; or (ii) cause moderate, severe or very severe structural damage to houses, sheds or pools within the DA area in excess of the percentages of such structures shown in the relevant column of Figure 3 without obtaining either an approval under Part 4 of the Act or a modification of consent under Part 4 of the Act. *Note: In this condition, "percentage of such structures" means the percentage of such structures as may exist from time to time, i.e. allowing for new buildings and demolition within the area affected by subsidence caused by mining within the DA area.*	Compliant	1. Audit interviews 2. Mine Plan	The Auditee confirmed that no mining has occurred in this area during the audit period. This is also demonstrated in the current mine plan.	
7	Mining is not to occur so as to result in the subsidence of any habitable floors to below the 1:100 year flood level (1% flood level).	Compliant	1. Audit interviews 2. Mine Plan 3. Six monthly Subsidence Impact Reports	A flood study has been completed for Western Domain which identified the there have been no subsidence of any habitable floors below 1:100 year flood level. Six monthly subsidence impact assessments are completed.	
	Statutory Requirements				
8	The Applicant must ensure that all statutory requirements, including all relevant legislation, Regulations, Australian Standards, Codes, Guidelines and Notices, Conditions and Directions of the Council and relevant government agencies are met and approvals obtained.	Compliant	1.EPA POEO Public Register (notices search 2.Tahmoor website - Approvals	All relevant approvals were confirmed to be current at the time of the audit. All current approvals are also published on the sites website.	
	Environmental Management Services				

9	The Applicant must engage recognised Environmental Management Services throughout the life of the mine. The Environmental Management Services must: (i) provide for the preparation of environmental management plans; (ii) provide for considering and advising on matters specified in the conditions of this consent and compliance with such matters; be involved in the induction and training program for all persons involved with construction activities, mining and remedial activities (including surface drainage mitigation works); (v) have the authority and independence to require reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts. Failing the effectiveness of such steps immediately advise Senior Management of the mine of environmental implications and of any need to stop work; and (vi) provide a representative to be a member of the Community Consultative Committee (Condition 47). (iii) provide for receiving and responding to complaints in accordance with Condition 43;	Compliant	1. Audit interviews 2. Training packages 3. Complaints procedures 4. Training packages and sign on sheets 5. Environmental Monitoring data	Evidence observed during the Audit interviews confirmed: - copies of all management plans confirmed - training packages, toolbox meeting observed - monitoring records for dust noise and vibration and water maintained - complaints procedures in place - environmental reporting current - CCC panel and members represent the community	
10	The Applicant must notify the Secretary, EPA, DPIE Water and DPIE Crown Lands, Resources Regulator, Council, the Community Consultative Committee of the role, responsibility, authority, accountability and reporting of personnel relevant to environmental management, including the name and contact details of the principal person responsible for overseeing environmental management of the mine. This principal person must be a person who has the authority to stop work if an adverse impact on the environment is likely to occur.	Compliant	1. Audit interviews 2. Annual Review and Annual Environmental Management Report 2020, 2021, 2022) 3. CCC Meeting minutes	Table 4-1 of the Annual reports identify the Tahmoor coal contacts. Tahmoor Coal representatives attend CCC meetings. Email introducing the Environment and Community Manager sighted.	
	Revision of Subsidence Predictions:				
11	As part of any application to Resources Regulator for approval of a Subsidence Management Plan for longwalls up to and including Longwall 32: (i) the Applicant must revise subsidence predictions and the impacts on bridge structures, culverts and embankments based on the final mine plan and prepare management plans in consultation with the relevant authorities; (ii) the Applicant must revise subsidence predictions and the impacts on mains and overhead cables based on the final mine plan and prepare management plans in consultation with the relevant authorities; (iii) for mining that may change drainage patterns of flood prone land, the Applicant must revise subsidence predictions and prepare management plans for those lands in consultation with Council and relevant landowners; (iv) high frequency monitoring, along with detailed structural sensitivity analyses, for Picton High School during second workings in Longwall 32; and (v) undertake additional flood modelling for events up to and including the Probable Maximum Flood, prior to undertaking second workings in Longwall 32. Any such revisions of subsidence predictions must be reported in the Annual Review (Condition 45).	Compliant	1. Six Monthly Subsidence Impact Reports 2. End of Panel Subsidence Monitoring Reports (MSEC)Reports 3. Extraction Plans 4. Flood Impact Studies (WRM) 5. Annual Review and Annual Environmental Management Report 2020, 2021, 2022)	Compliance with the requirements of this condition is demonstrated through ongoing monitoring of subsidence through: - End of Panel Subsidence mentoring reports - Six monthly subsidence reports are undertaken - Extraction Plans - Flood Impact Studies Subsidence monitoring results are also reported in the annual reports	
	Subsidence Monitoring				

12	For longwalls up to and including Longwall 32, the Applicant must undertake a detailed and ongoing monitoring program of subsidence resulting from mining to the satisfaction of the Secretary and in consultation with Resources Regulator and Council from the date of commencement (Condition 5) and for a period of at least three years after the completion of mining, or other such period as determined by the Secretary in consultation with Resources Regulator and Council. Monitoring must include the following: (i) impacts on dams that may be affected by subsidence occurring in the DA area; (ii) a survey of the stream channel system; (iii) monitoring of groundwater levels and quality; (iv) monitoring of remedial measures; (v) a comparison of predicted impacts with actual impacts, including mapping of subsidence profiles in residential areas and of anomalous events; (vi) strains and impacts in the vicinity of the Nepean Fault Zone; and (vii) the angle of draw. The Applicant must include information on monitoring conducted and the interpreted results in the Annual Review (Condition 45).	Compliant	1. Six Monthly Subsidence Impact Reports 2. End of Panel Subsidence Monitoring Reports (MSEC)Reports 3. Extraction Plans 4. Flood Impact Studies (WRM) 5. Annual Review and Annual Environmental Management Report 2020, 2021, 2022)	Compliance with the requirements of this condition is demonstrated through ongoing monitoring of subsidence through: - End of Panel Subsidence mentoring reports - Six monthly subsidence reports are undertaken - Extraction Plans - Flood Impact Studies Subsidence monitoring results are also reported in the annual reports	groundwater report
13	For longwalls up to and including Longwall 32, if determined necessary by the Secretary in consultation with Council and DPIE Water and DPIE Crown Lands, the Applicant must carry out works in accordance with an Erosion and Sediment Control Plan, prepared to the requirements of DPIE Water and DPIE Crown Lands, to restore any damage to watercourses (including the banks) resulting from the mining operations, subject to any other necessary approvals.	Compliant	1. CMAP Newsletters 2. Tahmoor South - Erosion and Sediment Control Plan - Myrtle Creek CMAP Rev 2 (May 2019) 3. Tahmoor South - Erosion and Sediment Control Plan - Redbank Creek CMAP Rev 1 (July 2019)	Erosion and sediment control plans have been developed for Redbank and Murdoch Creeks. The CMAP newsletters available on the website include detail of the current remediation works as well as future remediate works.	
	SUBSIDENCE				
	Performance Measures - Natural and Heritage Features etc.				
13A	The Applicant must ensure that extraction of Longwall 33 and subsequent longwalls does not cause any exceedances of the performance measures in Table 1. **Table 1: Subsidence impact performance measures – natural and heritage features etc** *Note: The Applicant will be required to define more detailed performance indicators (including impact assessment criteria) for each of these performance measures in the various management plans that are required under this consent.*	Compliant	1. Six Monthly Subsidence Impact Reports 2. Extraction Plans	Heritage management plans are implemented to monitor subsidence impacts on historical and Aboriginal heritage items. Section 3.4.2 identify the design parameters for first working=s are below the criteria for a high risk activity. Tables 3.10 and 3.11 identify the predicted subsidence. Section 3.5 outlines performance measures and indicators and Section 6 outlies the management strategies. Section 5 outlines the subsidence monitoring program Monthly subsidence reports provide an assessment of subsidence that has occurred and the impacts' exceedances identified in the 6 monthly subsidence reports.	
13B	Measurement and monitoring of compliance with performance measures and performance indicators in this consent is to be undertaken using generally accepted methods that are appropriate to the environment and circumstances in which the feature or characteristic is located. These methods are to be fully described in the relevant management plans and monitoring programs. In the event of a dispute over the appropriateness of proposed methods, the Secretary will be the final arbiter.	Compliant	1. Six Monthly Subsidence Impact Reports 2. Extraction Plans	Extraction plans include an impact assessment report as well as trigger action response plans and management plans for vacuous environmental elements	
	Additional Offsets				

13C	If the Applicant exceeds the performance measures in Table 1 and the Secretary determines that: (i) it is not reasonable or feasible to remediate the subsidence impact or environmental consequence; or (ii) remediation measures implemented by the Applicant have failed to satisfactorily remediate the subsidence impact or environmental consequence, then the Applicant must provide a suitable offset to compensate for the subsidence impact or environmental consequence, to the satisfaction of the Secretary.	Not Triggered		There have been no request mad by the Planning Secretary within the audit period	
13D	The offset must give priority to like-for-like physical environmental offsets, but may also consider payment into any NSW Offset Fund established by ESS, or funding or implementation of supplementary measures such as: (i) actions outlined in threatened species recovery programs; (ii) actions that contribute to threat abatement programs; (iii) biodiversity research and survey programs; and/or (iv) rehabilitating degraded habitat. *Note: Any offset required under this condition must be proportionate with the significance of the impact or environmental consequence*	Not Triggered			
	Performance Measures - Built Features				
13E	The Applicant must ensure that extraction of Longwall 33 and subsequent longwalls does not cause any exceedances of the performance measures in Table 2. **Table 2: Subsidence impact performance measures – built features** *Notes* *• The Applicant will be required to define more detailed performance measures in the Built Features Management Plans or Public Safety Management Plan.* *• Requirements regarding safety or serviceability do not prevent preventative or mitigatory actions being taken prior to or during mining in order to achieve or maintain these outcomes.* *• Requirements under this condition may be met by measures undertaken in accordance with the Coal Mine Subsidence Compensation Act 2017.*	Compliant	1. Six Monthly Subsidence Impact Reports 2. Extraction Plans 3. Built Features Management Plans	Heritage management plans are implemented to monitor subsidence impacts on historical and Aboriginal heritage items. Section 3.4.2 identify the design parameters for first working=s are below the criteria for a high risk activity. Tables 3.10 and 3.11 identify the predicted subsidence. Section 3.5 outlines performance measures and indicators and Section 6 outlies the management strategies. Section 5 outlines the subsidence monitoring program Monthly subsidence reports provide an assessment of subsidence that has occurred and the impacts' exceedances identified in the 6 monthly subsidence reports.	
13F	Any dispute between the Applicant and the owner of any built feature over the interpretation, application or implementation of the performance measures in Table 2 is to be settled by the Secretary, following consultation with the Resources Regulator. Any decision by the Secretary shall be final.	Compliant	1. Subsidence claims 2. Extraction Plans 3. Built Features Management Plans 4. Audit interviews	Built features management plans are developed to support the extraction plans and include management strategies controls and monitoring program s to be implemented to manage potential subsidence impacts on built features. Subsidence claims are managed in accordance with the SA NSW direction. Examples of claims (approved and denied) were provided for review.	
	First Workings				

13G	The Applicant may carry out first workings within the underground mining area approved mine plan, other than in accordance with an approved Extraction Plan, provided that the Resources Regulator is satisfied that the first workings are designed to remain stable and non-subsiding in the long -term, except insofar as they may be impacted by approved second workings. *Notes:* *• The intent of this condition is not to require an additional approval for first workings, but to ensure that first workings are built to geotechnical and engineering standards sufficient to ensure long term stability, with negligible resulting direct subsidence impacts.* *• Resources Regulator should be consulted when designing first workings in order to provide comment on matters relating to coal resource recovery.*	Compliant	1. Extraction Plans	The Auditee confirmed that consultation with the Resources Regulator occurs. Extraction plans are developed prior to undertaking works, details of consultation are included as an appendix.	
	Extraction Plan				
	The Applicant must prepare an Extraction Plan for all second workings in Longwall 33 and subsequent longwalls to the satisfaction of the Secretary. Each Extraction Plan must: (i) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary; (ii) be prepared in consultation with Resources Regulator, ESS, DSC, WaterNSW and DPIE Water and DPIE Crown Lands; (iii) include detailed plans of existing and proposed first and second workings and overlying surface features, including any applicable adaptive management measures; (iv) include adequate consideration of mine roof and floor conditions, pillar width to height ratio, final pillar design dimensions and the long-term stability of pillars which has been undertaken in consultation with the Resources Regulator; (v) provide revised predictions of the potential subsidence effects, subsidence impacts and environmental consequences of the proposed mining covered by the Extraction Plan, incorporating any relevant information obtained since this consent; (vi) describe in detail the performance indicators to be implemented to ensure compliance with the performance measures in Table 1 and Table 2, and manage or remediate any impacts and/or environmental consequences; (vii) include a:	Compliant	1. Extraction Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00360, 18/01/2023)	The extraction plans are prepared by suitably qualified person as endorsed by the Planning Secretary (letter of endorsement of team included in Appendix C). Details of consultation with relevant parties is outlined in section 2, Table 3 and Appendix C.	
	(a) **Subsidence Monitoring Program** which has been prepared in consultation with the Resources Regulator to: • describe the ongoing conventional and non-conventional subsidence monitoring program: • provide data to assist with the management of risks associated with conventional and non-conventional subsidence; • validate the conventional and non-conventional subsidence predictions; • analyse the relationship between the predicted and resulting conventional and non-conventional subsidence effects and predicted and resulting impacts under the plan and any ensuring environmental consequences; and • inform the adaptive management process;	Compliant	1. Extraction Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00360, 18/01/2023)	Details of consultation with relevant parties is outlined in section 2, Table 3 and Appendix C. Subsidence predictions are outlined in Section 3.4., with the justification statement included in section 3.3.7.3 Adaptative management strategies are outlined in Section 3.6 Monitoring plan is outlined in Section 5. and individual management plans are developed and available on the sites website.	

	(b) **Built Features Management Plan** which has been prepared in consultation with the Resources Regulator, to manage the potential subsidence impacts of the proposed underground workings on built features, and which: • has been prepared in consultation with the owners of potentially affected features, including ARTC and NRSR in relation to potential impacts on rail infrastructure; addresses in appropriate detail all items of key public infrastructure with particular consideration of transmission lines and towers (including angle towers), the Main Southern Railway including the Picton Tunnel, other public infrastructure and all classes of other built features; • recommends appropriate pre-mining mitigation measures to reduce subsidence impacts; • recommends appropriate remedial measures and includes commitments to mitigate, repair, replace or compensate predicted impacts on potentially affected built features in a timely manner, including an Emergency Response Plan for emergency mitigation works in the Picton Tunnel; • in the case of all key public infrastructure, and other public infrastructure except roads, trails and associated structures, reports external auditing for compliance with ISO 31000 (or alternative standard agreed with the infrastructure owner), and provides for annual auditing of compliance and effectiveness during extraction which may impact the infrastructure;	Compliant	1. Built Features Management Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00366, 19/01/2023)	The management plan has been developed in consultation with relevant stakeholders - details are outlined in Section 2.4 and Table 7. Identification of subsidence hazards are outlined din Section 3.1.Risk controls for built features are discussed in Section 4 and include rail, road, infrastructure, communications, heritage site, industry and commercial business, schools and the wildlife sanctuary. pre mining mitigation measures are outlined in Section 6.2 Remedial measures to reduce subsidence impacts are outlined in Section 6.3	
13H	(c) **Water Management Plan** which has been prepared in consultation with EPA, DPIE Water, Resources Regulator and WaterNSW, which provides for the management of potential impacts and environmental consequences of the proposed underground workings on watercourses and aquifers, including: • detailed baseline data on: - surface water flows and quality in watercourses and/or water bodies that could be affected by subsidence; and - groundwater levels, yield and quality in the region, including for privately-owned licensed bores; • surface and groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse impacts on water resources or water quality; • a surface water monitoring program to monitor and report on: - stream flows and quality; - stream and riparian vegetation health; and - channel and bank stability; • a groundwater monitoring program to monitor and report on: - springs, their discharge quantity and quality, as well as associated groundwater dependent ecosystems; - groundwater inflows to the underground mining operations; - the height of groundwater depressurization; - background changes in groundwater yield/quality against mine-induced changes, in particular, on groundwater bore users in the vicinity of the site; - permeability, hydraulic gradient, flow direction and connectivity of the deep and shallow groundwater aquifers; • a flood management protocol to: - identify secondary access routes for those properties that could potentially be adversely impacted by 1% AEP flood events; regularly consult with landowners that would not have either a primary or secondary access route during 1% AEP flood events; - provide up-to-date information (including subsidence and flooding predictions) to the State Emergency Service and Council regarding privately-	Compliant	1. Water Management Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00361, 19/01/2023)	Consultation with relevant stakeholders during the preparation of the plan occurred as outlined in Section 2.4, Table 8 and Appendix A. - Baseline data for surface water and groundwater is outlined in Section 3: - Section 3.3.2 for baseline water quality results for Bargo River, Teatree Hollow and Hornes Creek) - Section 3.7.2 outlines historical groundwater flow and Section 3.74 outlines the baseline groundwater quality Predicted subsidence impacts and environmental consequences is outlined in Section 4, including subsidence predictions, potential impacts, water quality and flow regime, groundwater inflows/outflows, and potential impacts, gas emissions, aquatic biodiversity and ESC. Monitoring program is outlined in section 5 with the strategies n Section 6. Flood management is included in Section 4.2.1.3 Adaptive management is addressed in Section 6.5, and the contingency plan outlined in Section 6.5 Update in the Annual Review	

	(d) **Biodiversity Management Plan** which has been prepared in consultation with ESS, which establishes a baseline data for the existing habitat on the site, including water table depth, vegetation condition, stream morphology and threatened species habitat, and provides for the management of potential impacts and environmental consequences of the proposed second workings on aquatic and terrestrial flora and fauna, with a specific focus on threatened species, populations and their habitats, EECs and groundwater dependent ecosystems;	Compliant	1. Biodiversity Management Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00363, 18/01/2023) 2. Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00362, 18/01/2023) 3. Heritage Management Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00364, 18/01/2023 4. Public Safety Management Plan - Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00365, 18/01/2023	These plans have all been prepared in consultation with relevant stakeholders. Details of consultation undertaken is included in each plan.	
	(e) **Land Management Plan** which has been prepared in consultation with any affected public authorities, which provides for the management of potential impacts and/or environmental consequences of the proposed underground workings on land in general, with a specific focus on cliffs, minor cliffs, rock face features, steep slopes and agricultural enterprises;				
	(f) **Heritage Management Plan** which has been prepared in consultation with Heritage NSW and relevant stakeholders for heritage items which provides for the management of potential environmental consequences of the proposed second workings on heritage items;				
	(g) **Public Safety Management Plan** which has been prepared in consultation with the Resources Regulator, which ensures public safety and manages access on the site;				
	(h) **Trigger Action Response Plan/s** addressing all features in Table 1 and Table 2, which contain: • appropriate triggers to warn of increased risk of exceedance of any performance measure; and • specific actions to respond to high risk of exceedance of any performance measure to ensure that the measure is not exceeded; an assessment of remediation measures that may be required if exceedances occur and the capacity to implement the measures; and • adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Table 1 or Table 2, or where any such exceedance appears likely; and	Compliant	1. Extraction Plan - Main Document Tahmoor South Domain - Longwalls South 1A - South 6A Rev 3.0 (TAH-HSEC-00360, 18/01/20231)	Trigger Action Response Plans (TARPs) are developed for each relevant management plan prepared to support the extraction plans. A master TARP consolidating all aspects from the management plans is provided in Appendix B. The TARPs have been developed using the performance indicators for subsidence impacts relevant to each management plan and outline the level of risk for each performance measure. Adaptive management processes and contingency ,management through the use of TARPS are outlined in section 3.6 All works are undertaken in accordance with the approved extraction plans	
	(i) **Contingency Plan** that expressly provides for: • adaptive management where monitoring indicates that there has been an exceedance of any performance measure in Table 1 and Table 2, or where any such exceedance appears likely; and • an assessment of remediation measures that may be required if exceedances occur and the capacity to implement those measures; and • includes a program to collect sufficient baseline data for future Extraction Plans.				
13I	The Applicant must not undertake second workings following the extraction of Longwall 32 except in accordance with an Extraction Plan approved by the Secretary and must implement Extraction Plans as approved by the Secretary. *Notes:* *• The preparation and implementation of Extraction Plans may be staged, with each plan covering a defined area of underground workings. In addition, these plans are only required to contain management plans that are relevant to the specific underground workings that are being carried out.* *• The burden of proof that any declines in performance of privately-owned registered bores and wells were not due to mining impacts rests with the Applicant.*				
	Payment of Reasonable Costs				

13J	The Applicant must pay all reasonable costs incurred by the Department to engage a suitably qualified, experienced and independent person/s to review the adequacy of any aspect of an Extraction Plan.	Not Triggered	1. Audit interviews	No request from the Department made during the audit period..	
	Water Quality				
14	The Applicant must prepare a plan to monitor and manage any subsidence impacts on septic tanks or package sewage treatment plants. The plan must be prepared to the satisfaction of the Secretary and in consultation with Council. The Applicant must implement the plan as approved by the Secretary.	Compliant	1. Subsidence Management Plans 2. Built Features Management Plans	Plans have been developed for the following infrastructure and are published in the sites website: Longwalls South 1A - South 6A: - Sydney Water Potable Management Plan - Built Features Management Plans Longwall West 1 and 2: - Built Features Management Plans - Potable Management Plan - Stone quarry Sewer Treatment Plant Management Plan Western Domain Longwall West 3 and 4: - Sydney Water Sewer Management Plan - Sydney Water Potable Management Plan - Stone quarry Sewer Treatment Plant Management Plan - Built Features Management Plans	
	Notifications and Pre-mining Structural Inspections				
15	(i) The Applicant must notify each relevant landowner/occupier under whose property it intends to commence first workings at least one (1) month prior to commencement of such workings; and (ii) The Applicant must notify in writing each landowner/occupier within a 35 degree angle of draw of its intentions to proceed with second workings at least three (3) months prior to making an application to Resources Regulator for approval of a Subsidence Management Plan or an application to the Secretary for the approval of an Extraction Plan. Notification of second workings must include: (a) pre-mining inspection rights including a copy of consent conditions 15 to 26 inclusive; (b) revised subsidence predictions using updated monitoring data; (c) identification of potential damage to improvements; (d) owner's obligation of disclosure under insurance policies and mortgage agreements; (e) rights of claiming consequential loss under the Mining Act; and (f) advice as to where an unabridged copy of these conditions of consent are available for public inspection.	Compliant	1. Extraction Plans 2. Audit interviews	An example of certificates were observed during the audit interviews. Consultation details are also included in the extraction plans (Seciton1.3)	

16	If determined necessary by Resources Regulator or the Secretary, the Applicant must cause a pre-mining structural inspection to be carried out on substantial improvements on land identified by the Resources Regulator or the Secretary at least one month prior to commencement of second workings taking place that may cause subsidence impacts on the relevant property. These inspections must: (i) be conducted with the consent of the landowner/occupier and in consultation with SA NSW; (ii) include a report prepared on the structural integrity of all buildings in their entirety (including roofs, ceilings, openings, foundations and household sewage treatment and disposal systems); (iii) be conducted by an independent and technically qualified person; (iv) include permanent reference marks on each corner of all substantial improvements with level tied to Australian Height Datum to a stable point in the area; and (v) include soil sampling for moisture content and soil type as appropriate. A copy of the inspection report must be provided to the landowner/occupier upon completion.	Not Triggered	1. Extraction Plans 2. Audit interviews	There have been no request made by the Resource Regulator during the audit period.	
17	Where a pre-mining structural inspection under Condition 16 involves a building identified in the Wollondilly Heritage Study the report must be prepared with the assistance of a qualified heritage expert. The Secretary may also require such a report on a building which is not identified in the Wollondilly Heritage Study be prepared with the assistance of a qualified heritage expert if the Secretary is satisfied, on the basis of available information, that the building may be older than 50 years and have heritage significance. Prior notice of such inspections must be provided to the Secretary by the Applicant to enable a decision to be made. *Note: Structural inspections by the Applicant are in addition to any pre-mining surveys conducted by the SA NSW.*	Not Triggered	1. Heritage Technical Reports 2. Audit interviews	Heritage Technical Specialist are engaged to undertake assessments for heritage buildings that may be impacted by subsidence.	
	Management, Compensation and Acquisition				
18	Where a dwelling within the DA area is, or is likely to be, subject to damage as a result of the development, upon receipt of notification under Condition 15(ii) the landowner may request the Applicant in writing to: (i) carry out such works as agreed by the landowner to remedy or mitigate any damage or compensate the landowner for such effects in accordance with the Mine Subsidence Compensation Act 1961 and/or the Mining Act 1992 (except where such works are the responsibility of the SA NSW); or (ii) where damage is, or is likely to be, severe, very severe or unrepairable (as defined in the EIS referred to in condition 1), acquire the whole of the property, or such part of the property requested by the landowner if subdivision is approved, except where purchase is agreed by the SA NSW. The Applicant must comply with any such request for acquisition in accordance with Conditions 20-22. If necessary to confirm the impact, the Applicant must, at the request of the landowner in writing, conduct a follow-up structural inspection to one carried out under Conditions 16-17. Any inspection or assessment under this Condition must be conducted as if it were conducted under Conditions 16-17	Compliant	1. Compensation Claims	Evidence was provided demonstrated compliance with the requirements of this condition: Example: 2022 Claim - Stone quarry Creek - email dated 16/12/2022 to the **N**SW Government Department included he determination letter, dead of release, claims investigation repot, surveyor costs estimate banking form statement by supplier form.	

19	The Applicant must, if requested by the SA NSW, ensure that any substantial improvements, including homes, sheds and pools, which are subject to residual tilts in the range of 4 mm/m to 7 mm/m as a result of mining or mining related activities, are relevelled within six months of receipt of a written request from the landowner. *Note: Relevelling of residual tilt of greater than 7 mm/m is the responsibility of the SA NSW.*	Compliant	1. Compensation Claims	Evidence was provided identified that investigations were undertaken to determine the acceptance of a claim. Where a claim was accepted, monetary compensation was provided.	
	Acquisition Procedure				
20	Upon receipt of a written request to purchase property in accordance with any Condition 18(ii), unless mining proposals are altered to avoid this property purchase mechanism, the Applicant must negotiate and purchase the whole of the property (unless the request specifically requests acquisition of only part of the property and subdivision has already been approved) within six months of receipt of the request. The Applicant must pay the landowner an acquisition price resulting from proper consideration of: (i) a sum not less than the current market value of the owner's interest in the land, whosoever is the occupier, having regard to: • the existing use and permissible use of the land in accordance with the applicable planning instruments at the date of the written request; and • the presence of improvements on the land and/or any Council approved building or structure which although substantially commenced at the date of the request is completed subsequent to that date, as if the land was unaffected by the development proposal; (ii) the owner's reasonable compensation for disturbance allowance and relocation within the Wollondilly local government area, or within such other location as may be determined by the Secretary in exceptional circumstances; (iii) the owner's reasonable costs for obtaining legal advice and expert witnesses for the purposes of determining the acquisition price for the land and the terms upon which it is to be acquired; and (iv) the purchase price determined by reference to points (i), (ii) and (iii) must be reduced by the amount of any compensation awarded to a landowner pursuant to the Mining Act, 1992 or other legislation providing for compensation in relation to coal mining but limited to compensation for dwellings, structures and other fixed improvements on the land, unless otherwise determined by the Secretary in consultation with the Resources Regulator or SA NSW.	Not Triggered		The Auditee confirmed the there have been no property acquisitors within the audit period, therefore this condition is not triggered	
21	An offer by the Applicant to purchase a property under Conditions 18(ii) and 20 must remain open to the landowner three years after completion of mining of longwall panels that affect the property.	Not Triggered		The Auditee confirmed the there have been no property acquisitors within the audit period, therefore this condition is not triggered	
22	Notwithstanding any other condition of this consent, the landowner and the Applicant may enter into any other agreed arrangement regarding compensation; or the Applicant may, upon request of the landowner, acquire any property affected by the Tahmoor Mine during the course of this consent on terms agreed to between the Applicant and the landowner.	Not Triggered		The Auditee confirmed the there have been no property acquisitors within the audit period, therefore this condition is not triggered	
	Independent Valuation				
23	In the event that the Applicant and the landowner cannot agree within three months upon the acquisition price of the land and/or the terms upon which it is to be acquired under the terms of this consent, then either party may refer the matter to the Secretary who must request an independent valuation to determine the acquisition price. The independent valuer must consider any submissions from the landowner and the Applicant in determining the acquisition price.	Not Triggered		Condition not triggered during the audit period	

24	If the independent valuer requires guidance on any contentious legal, planning or other issues, the independent valuer must refer the matter to the Secretary, who, if satisfied that there is a need for a qualified panel, must arrange for the constitution of the panel. The panel must consist of: (i) the appointed independent valuer; (ii) the Secretary; and/or (iii) the President of the Law Society of NSW or nominee. The qualified panel must, on the advice of the valuer, determine the issue referred to it and advise the valuer.	Not Triggered		Condition not triggered during the audit period	
25	The Applicant must bear the costs of any independent valuation or survey assessment requested by the Secretary.	Not Triggered		Condition not triggered during the audit period	
26	The Applicant must, within fourteen days of receipt of a valuation by the independent valuer, offer in writing to acquire the relevant land at a price not less than the said valuation.	Not Triggered		Condition not triggered during the audit period	
	Heritage Items				
27	The Applicant must not cause damage to any building or structure which is a Heritage Item without the prior approval of Council. The application for such approval must include a detailed report assessing: (i) likely subsidence and the potential damage to the item arising from subsidence; (ii) impacts of expected damage on the historical significance of the Item (prepared by a qualified heritage expert endorsed by Council); and (iii) appropriate mitigation, management or restoration measures. *Note: In this condition, "Heritage Item" means an item either listed in Schedule 1 of the Wollondilly Local Environmental Plan 1991, or its latest version or identified in the Wollondilly Heritage Study 1993. The power for Council to issue an "approval" is established under this condition, and should not be read as establishing any requirement for the application for and grant of development consent under the Act.*	Not Triggered		Condition not triggered during the audit period	
28	When applying for the approval of Council under condition 27, the Applicant must provide a copy of the application and detailed report to the owner or owners of affected buildings or structures and to the Community Consultative Committee.	Compliant	1. Heritage Management Plans	The Heritage Management Plan includes detail regarding consultation undertaken.	
29	Prior to commencement of mining the Applicant must comply with the statutory requirements of NPWS in relation to works affecting Aboriginal sites.	Compliant	1. Extraction Plans 2. Aboriginal Heritage Technical Reports 3. Heritage Management Plans 4. Annual Review and Annual Environmental Management Report 2020, 2021, 2022)	Searches are completed for each longwall prior to mining commencing and are managed in accordance with the Heritage Management Plan. The annual reports confirm that there were no reportable incidents.	
30	If the Applicant becomes aware of any heritage or archaeological material that may be affected by mining or subsidence, all work likely to affect the material must cease immediately and the relevant authorities consulted about an appropriate course of action prior to recommencement of work. The relevant authorities may include NPWS, ESS, Heritage NSW, and the Local Aboriginal Land Council. Any necessary permits or consents must be obtained and complied with prior to recommencement of work.	Compliant	1. Extraction Plans 2. Aboriginal Heritage Technical Reports 3. Heritage Management Plans 4. Annual Review and Annual Environmental Management Report 2020, 2021, 2022)	Heritage Technical reports are provided to support the extraction plans to confirm the presence/absence of Aboriginal Cultural heritage sites/artefacts. Aboriginal Cultural Heritage is also managed through the HMP for the extraction plans. Heritage management is also reported through the Annual reports confirming no impacts to heritage.	
	Counselling Services				

31	The Applicant must provide funding to Council for independent counselling services for landowners who may request support on stress-related matters resulting from the development. These counselling services must be available to landowners from two years prior to mining of longwall panels that affect the landowner's property and until three years after completion of mining of longwall panels that affect the landowner's property.	Compliant	1. Resident Information Pack Tahmoor South Information Pack -	The information pack include detail for confidential counselling - includes phone numbers and email address. The information pack is available on the website.	
	Modification to the Court's Consent				
32	Prior to commencement of mining under this consent, the Applicant must obtain any necessary modifications to the 1994 approval by the Land and Environment Court arising out this consent. The Applicant must supply copies of any such application for modification to the Department, Council and the Community Consultative Committee upon lodgement with the Court.	Compliant	1. Audit interviews	All consents and modifications are current	
	NOISE				
	Noise Management Plan				
33	The Applicant must prepare a Noise Management Plan for the Tahmoor Mine to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA, and submitted for approval to the Secretary by 31 October 2012; (b) describe the noise mitigation measures that would be implemented to ensure compliance with all relevant conditions of consent for the Tahmoor Mine; (c) outline procedures to manage responses to any complaints or issues raised by the owners of affected residences; and (d) include a noise monitoring program that includes a protocol for determining exceedances of all relevant conditions of consent for the Tahmoor Mine. The Applicant must implement the Noise Management Plan as approved by the Secretary.	Compliant	1. Tahmoor South Noise Management Plan (NMP) Rev 3.0 (TAH-HSEC-00372, 19/10/2022)	The NMP demonstrated compliance with the requirements of this condition: a) Consultation details are outlined in Section 3, Appendix C includes the letter from DPE confirming the NMP meets the requirements of the consent conditions b) Noise management and monitoring is outlined in Section 5 and Appendix E, Section 6 outlines the details for a contingency plan c) Complaints and disputes is outlined in d) The noise monitoring program is addressed in section 5.4	
	Redbank Tunnel Rail Deviation				
34	The Applicant must ensure that construction work for the Redbank Tunnel rail deviation is carried out from 7 am to 6 pm Monday to Friday (inclusive) and 8 am to 1 pm on Saturday, unless at the request or direction of the ARTC. If construction may result in exceedances of the Interim Construction Noise Guidelines (DECCW, 2009), the Applicant must undertake community consultation and implement associated mitigation measures in accordance with the 'Additional Mitigation Measures Matrix' in the Construction Noise Strategy (Transport Construction Authority, 2010).	Not Triggered	1. Audit interviews	The Auditee confirmed that the construction works are complete.	

35	The Applicant must prepare a Construction Noise Management Plan for the Redbank Tunnel rail deviation to the satisfaction of the Secretary. This plan must: (a) be prepared in accordance with the Construction Noise Strategy; (b) be submitted for approval to the Secretary prior to the commencement of construction work; (c) describe the noise mitigation measures that would be implemented to minimise the noise impacts from construction activities; (d) describe the proposed noise monitoring program; and (e) outline procedures to manage responses to any complaints or issues raised by the owners of affected residences. The Application must implement the Construction Noise Management Plan as approved by the Secretary. *Note: construction work in Conditions 34 and 35 does not include surveys, acquisitions, fencing, investigative drilling or excavation, minor clearing, minor access roads, minor adjustments to services/utilities, works which allow isolation of the site so that access for construction can be provided (including service relocations) and establishing temporary facilities for construction (including for example an office and amenities compound, construction compound, materials storage compound, maintenance workshop, testing laboratory or material stockpile areas).*	Not Triggered	1. Audit interviews	The Auditee confirmed that the construction works are complete.	
	AIR QUALITY & GREENHOUSE GASES				
	Greenhouse Gas Emissions				
36	The Applicant must implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the Tahmoor Mine, to the satisfaction of the Secretary.	Compliant	1. Air and Greenhouse Gas Management Plan (AGHGMP) Rev 3.0 (TAH-HSEC-00379, 19/10/2022)	GHG are addressed in the AGHGMP: - Section 8 outlines background and baseline data - Section 9 outlines management measures - Section 10 outlines the monitoring program Appendix C of the plan includes a letter from DPIE confirming the Department has reviewed and is satisfied that the plan generally meets the requirements of the consent SSD-8445-PA-4.	
	Air Quality Assessment Criteria				
37	The Applicant must ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the Tahmoor Mine do not exceed the criteria listed in Table 3 at any residence on privately-owned land or on more than 25 percent of any privately-owned land. **Table 3: Air quality criteria** *Notes: a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources). b Incremental impact (i.e. incremental increase in concentrations due to the project on its own). c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary. d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.*	Compliant	1. Site inspection 2. Monitoring data 3. Annual Review and Annual Environmental Management Report 2020, 2021, 2022) 4. Monitoring data and reports 5. EPL 1389 Monitoring Map	The monitoring program includes TEOM, HiVol and dust depositional monitoring. Monitoring locations were observed during the site inspection. The EPL map identifies the monitoring locations (available on the website) All monitoring results are published on the website and in the annual reports	
	Operating Conditions				

38	The Applicant must: (a) implement best practice air quality management at the Tahmoor Mine, including all reasonable and feasible measures to minimise the off-site odour and dust emissions including those generated by any spontaneous combustion; (b) minimise any visible air pollution generated by the Tahmoor Mine; (c) regularly assess the air quality monitoring and meteorological forecasting data, and modify and/or suspend operations on site to ensure compliance with all relevant conditions of consents for the Tahmoor Mine, to the satisfaction of the Secretary.	Compliant	1. Site inspection 2. Monitoring data 3. Annual Review and Annual Environmental Management Report 2020, 2021, 2022) 4. Monitoring data and reports	The mitigation measures for air quality are outline in the AGHGMP. At the time of the site inspecting, there were no observations of dust nuisance on site or odours as a result of the mining activities. Conveyor belts were observed to have covers, sprinklers were observed at the ROM and stockpile areas. Regular monitoring occurs and monitoring data and reports are published on the website, results are also reported in the annual reports.	
	Air Quality & Greenhouse Gas Management Plan				
39	The Applicant must prepare an Air Quality & Greenhouse Gas Management Plan for the Tahmoor Mine to the satisfaction of the Secretary. This plan must: (a) be prepared in consultation with EPA, and submitted for approval to the Secretary by 31 October 2012; (b) describe the measures that would be implemented to ensure compliance with all relevant conditions of consents for the Tahmoor Mine; (c) describe the measures that would be implemented to minimise the release of greenhouse gas emissions from the Tahmoor Mine; and (d) include an air quality monitoring program, that includes a protocol for determining exceedances with all relevant conditions of consents for the Tahmoor Mine. The Applicant must implement the Air Quality and Greenhouse Gas Management Plan as approved by the Secretary.	Compliant	1. Air and Greenhouse Gas Management Plan (AGHGMP) Rev 3.0 (TAH-HSEC-00379, 19/10/2022)	The AGHGMP complies with the requirements of this condition: a) Submission date I outside of the audit period, however Appendix C of the plan includes a letter from DPIE confirming the department has reviewed and is satisfied that the plan generally meets the requirements of the consent SSD-8445-PA-4. - Details of consultation are included in Appendix D for EPA, Clean Energy Regulator, TCCC and NSW Health b) and c) The air quality management system is addresses in section 6, GHG management measures are outlined in Section 9 and odour management is addressed in Section 11 d) Monitoring Programs are outlined in Section 7 for air quality and Section 10 for GHG and Section 11 for odour	
	NOTIFICANTION OF LANDOWNERS				
40	Within 2 weeks of obtaining monitoring results showing an exceedance of the relevant criteria in Tables 1-3, the Applicant must notify the affected landowner and tenants in writing of the exceedance, and provide monitoring results to each of these parties until the Tahmoor Mine is complying with the relevant criteria again.	Compliant	1. Audit interviews	The Auditee confirmed that there have been no exceedances requiring notification within the audit period.	
	INDEPENDENT REVIEW				
41	If an owner of privately-owned land considers the Tahmoor Mine to be exceeding the relevant criteria in Tables 1-3, then he/she may ask the Secretary in writing for an independent review of the impacts of the Tahmoor Mine on his/her land. If the Secretary is satisfied that an independent review is warranted, then within 2 months of the Secretary's decision the Applicant must: (a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary, to: • consult with the landowner to determine his/her concerns; • conduct monitoring to determine whether the Tahmoor Mine is complying with the relevant criteria in Tables 1-3; and • if the Tahmoor Mine is not complying with these criteria, then identify the measures that could be implemented to ensure compliance with the relevant criteria; and (b) give the Secretary and landowner a copy of the independent review.	Compliant	1. Audit interviews	The Auditee confirmed that there have been no requests from private land owner to the DG for an independent review of impacts within this audit period.	

42	If the independent review determines that the Tahmoor Mine is complying with the relevant criteria in Tables 1-3, then the Applicant may discontinue the independent review with the approval of the Secretary. If the independent review determines that the Tahmoor Mine is not complying with the relevant criteria in Tables 1-3 and that Tahmoor Mine is primarily responsible for this non-compliance, then the Applicant must: (a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the Tahmoor Mine complies with the relevant criteria to the satisfaction of the Secretary; or (b) secure a written agreement with the landowner to allow exceedances of the relevant criteria.	Not Triggered	1. Audit interviews	The Auditee confirmed that no such approval has been obtained form the Secretary.	
	ENVIRONMENTAL MANAGEMENT				
	Environmental Management Strategy				
43	The Applicant must prepare an Environmental Management Strategy for the Tahmoor Mine to the satisfaction of the Secretary. This strategy must: (a) be submitted for approval to the Secretary by 31 October 2012; (b) provide the strategic framework for the environmental management of the Tahmoor Mine; (c) identify the statutory approvals that apply to the Tahmoor Mine; (d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Tahmoor Mine; (e) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the Tahmoor Mine, including a 24-hour contact telephone number • receive, handle, respond to, and record complaints; • resolve any disputes that may arise during the course of the Tahmoor Mine; • respond to any non-compliance and any incident; • respond to emergencies; and (f) include: • references to any strategies, plans and programs approved under the conditions of consent for the Tahmoor Mine; and • a clear plan depicting all the monitoring required to be carried out under the conditions of consent for the Tahmoor Mine. The Applicant must implement the Environmental Management Strategy as approved by the Secretary.	Compliant	1. Tahmoor South - Environmental Management Strategy Rev 3.0 (TAH-HSEC-00375, 19/10/2022) 2. Audit interviews 3. Complaints Register (2020 - 2023)	The EMS is published on the sites website and addresses the requirements of this condition: (a) Submission to the Director-General occurred outside of this audit period . The Auditee confirmed it was prior to 31 October 2012 (b) EMS provides the strategic framework for the environmental management of the Tahmoor Mine (c) Section 2.1: Statutory Requirements and Legislation (d) Section 3.2: Roles and Responsibilities (e) Procedures Implemented Section 3.4: External Stakeholder Communication Section 3.5: Complaints and Disputes Section 3.6: Incidents, Non-compliance and Exceedances Section 3.9: Emergency Response - a 24 hour complaints hotline]= and other forms of contact are advertised on the sites website, - complaints register is maintained and published on the website (f) The EMS includes: - strategies, ,management plans , extraction plans procedures, forms TARPS are identified in Table 4 and Appendix A	
	Management Plan Requirements				

44	The Applicant must ensure that the management plans required under conditions of consent for the Tahmoor Mine are prepared in accordance with any relevant guidelines, and include: (a) a summary of relevant background or baseline data; (b) a description of: • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Tahmoor Mine or any management measures; (c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: • impacts and environmental performance of the Tahmoor Mine; • effectiveness of any management measures (see c above); (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (f) a program to investigate and implement ways to improve the environmental performance of the Tahmoor Mine over time; (g) a protocol for managing and reporting any: • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and (h) a protocol for periodic review of the plan. Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	Compliant	1. Tahmoor South - Air and Greenhouse Gas Management Plan Rev 3.0 (TAH-HSEC-00379, 19/10/2022) 2. Tahmoor South - Noise Management Plan Rev 3.0 (TAH-HSEC-00372, 19/10/2022).	The management plans address the requirements of this condition as follows: AGHGMP: a) Baseline data is included in Section 5 (air quality), Section 8 (GHG) b) Statutory and legislative requirements are outlined in Section 2.1; Air quality limits and criteria in section 2.1.5, performance indicators in Section 2.1.6; GHG limits and criteria in section 9, performance indicators in Section 2.1.6 c) Air quality : Management system is outlined in Section 6; ; GHG Management measurements are outlined in Section 9; d) Air quality Monitoring program in Section 7; GHG monitoring program in Section 10 e) Contingency plan details are included in section 12 f) Air Quality Trigger Action Response plan included in Appendix A g)Incidents and non compliances reporting is include din Secitons13.3 and 13.4 h) Review and improvement is detailed in Section 14, plan review in Section 14.2. Change information is also captured in Section 16 NMP: a)Baseline data is included in Section 4 b)Statutory and legislative requirements are outlined in Section 2.1; limits and criteria in section 2.1.., performance indicators in Section 2.1.4 d) Management and monitoring requirements are outlined in section 5 e) Contingency plan details are included in section 6 f) Noise Trigger Action Response plan included in Appendix A g)Incidents and non compliances reporting is include din Sections 7.2 and 7.3 h)Review and improvement is detailed in Section 8, plan review in Section 8.2. Change information is also captured in Section 10	
	Annual Review				

45	By 31 March of each year, the Applicant must prepare an Annual Review of the environmental performance of the Tahmoor Mine to the satisfaction of the Secretary. This review must: (a) describe the development (including any rehabilitation) that was carried out in the past calendar year, and the development that is proposed to be carried out over the next year; (b) include a comprehensive review of the monitoring results and complaints records of the Tahmoor Mine over the past calendar year, which includes a comparison of these results against: • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this consent; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 1(i) of Schedule 2; (c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the Tahmoor Mine; (e) identify any discrepancies between the predicted and actual impacts of the Tahmoor Mine, and analyse the potential cause of any significant discrepancies; (f) describe what measures will be implemented over the next year to improve the environmental performance of the Tahmoor Mine; and (g) assess the performance of the mine against the conditions of the consents and other licences and approvals relating to the mine. Copies of the Annual Review must be submitted to Council and made available to the Community Consultative Committee and any interested person upon request. *Note: the first Annual Review must be prepared by 31 March 2013.*	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021, 2022) 2. Audit interviews	The annual reports demonstrate compliance with the requirements of this condition: Rehabilitation: - performance, emplacement areas, actions for the next reporting period, mine closure - post mining land use and rehabilitation indicators. Monitoring: - monitoring results (annually and previous years) are reported in table / graph format, description of the results, statutory requirements and performance criteria/limits Non-conformances: - details of non conformances, actions and status are outlined - identify trends by including previous years data as a comparison, outline actions/measures to be implemented over the next reporting period for improvement. Statement of Compliance: - Statements of compliance are included in the annual report for all consents, licences and permits, Annual reviews are submitted as per the requirement of this condition - evidence sighted during the audit interviews. Annual reports are published on the sites website	
	Revision of Strategies, Plans and Programs				
46	Within 3 months of: (a) the submission of an Annual Review under Condition 45; (b) the submission of an incident report under Condition 48; (c) the submission of an audit under Condition 50; and (d) any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. *Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Tahmoor Mine.*	Compliant	1. Tahmoor South Noise Management Plan Rev 3.0 (TH-HSEC-00372, 19/10/2022) 2. Tahmoor South Air and Greenhouse Gas Management Plan Rev 3.0 (TAH-HSEC-00379, 19/10/2022) 3. Annual Review and Annual Environmental Management Report 2020, 2021, 2022)	Each management plan includes a section that details the full document history including the version number, date reviewed, review team and change summary (i.e.. Why it was reviewed/updated). Recommendations from the 2020 IEA to review and update the Air and Greenhouse Gas Management Plan and the Noise Management Plan Management Plan have been noted. Actions from the IEAs is reported in the Annual reports. the table identifies the Action reference number, description of the required action, risk, details of action taken and timing.	
	Community Consultative Committee				

47	The Applicant must establish and operate a Community Consultative Committee (CCC) for the Tahmoor Mine in general accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects (2016) to the satisfaction of the Secretary. *Notes:* *• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.* *• In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.* *• This condition does not require the re-constitution of any CCC established under previous conditions of consent.*	Compliant	1. https://www.tahmoorcolliery.com.au/community/	A Community Consultative Committee has been established in accordance with the requirements of this condition. Details of members and meeting minutes is available on the sites website: Establish and operating accordance with guidelines	
	REPORTING				
	Incident Reporting				
48	The Applicant must notify the Secretary and any other relevant agencies of any incident that has caused, or has the potential to cause, significant risk of material harm to the environment, at the earliest opportunity. For any other incident associated with the Tahmoor Mine, the Applicant must notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Compliant	1. Audit interviews 2. Pollution Incident Response Management Plan (PRIMP) Rev 19.0 (TAH-HSEC-00155, 19/08/2022)	No incidents requiring notification occurred within the audit period. It is noted that the incident for sediment release into the Bargo River was addressed in the 2020 audit. The Auditee confirmed that the PRIMP is updated yearly. Notification procedures are outlined in section 6 of the PRIMP.	
	Regular Reporting				
49	The Applicant must provide regular reporting on the environmental performance of the Tahmoor Mine on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent, and to the satisfaction of the Secretary.	Compliant	1. https://www.tahmoorcolliery.com.au/environment/monitoring-data-and-reports/	Monitoring results for water and dust (2017 - 2023)are published on the SIMEC website: - continuous and monthly water monitoring - continuous dust monitoring, monthly depositional dust, 3 monthly Hi- Volume dust monitoring, TEOM monitoring	
	INDEPENDENT ENVIRONMENTAL AUDIT				
50	By 30 September 2011 and every 3 years following, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Tahmoor Mine. This audit must: (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) include consultation with the relevant agencies and the Community Consultative Committee; (c) assess the environmental performance of the Tahmoor Mine and assess whether it is complying with the requirements in all relevant development consents and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals); (d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; (e) recommend appropriate measures or actions to improve the environmental performance of the Tahmoor Mine, and/or any assessment, plan or program required under the abovementioned approvals; and (f) be conducted and reported to the satisfaction of the Secretary. *Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.*	Compliant	1. Independent Environmental Audit - Tahmoor Coal Pty Limited, October 2017-October 2020 (SLR, 11/01/2021	The previous IEA was undertaken by SLR (2020): a) Appendix A includes the endorsement of the audit team by the DPIE b) Table 3 of the IEA report outlined the consultation summary confirming correspondence was sent to DPIE, Resources Regulator, EPA, Natural Resources Access Regulator, Crown Lands. Wollondilly Shire Council and the CCC. Appendix B included a letter from the Resource Regulator.	

51	Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.	Compliant	1. Independent Environmental Audit - Tahmoor Coal Pty Limited, October 2017-October 2020 (SLR, 11/01/2021 2. Letter - submission of IEA Report (SIMEC, 13/01/2020) 3. Audit interviews	The independent 2020 audit was dated January 2021 and stated that the site inspection occurred between 13 - 15 October 2020. The letter attached to the submission of the IEA Report was dated 13/01/2020 (incorrectly dated should have been 13/01/2021), confirming submission of the 2020 audit and that the next audit was due in 2023. Email correspondence (13/01/2021) observed during the audit interviews confirmed that the IEA Report was submitted to the Department within the 3 month timeframe.	
	ACCESS TO INFORMATION				
52	From 31 October 2012, the Applicant must: (a) make copies of the following publicly available on its website: • all relevant statutory approvals for the Tahmoor Mine; • all approved strategies, plans and programs required under the conditions of this consent; • a comprehensive summary of the monitoring results of the Tahmoor Mine, reported in accordance with the specifications in any approved plans or programs required under the conditions of this or any other approval; • a complaints register, which is to be updated on a monthly basis; • minutes of CCC meetings; • the annual reviews required under this consent; • any independent environmental audit of the Tahmoor Mine, and the Applicant's response to the recommendations in any audit; • any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary.	Compliant	1. website: https://www.tahmoorcolliery.com.au/	All information required by this condition can be found on the SIMEC website: https://www.tahmoorcolliery.com.au/ on the following pages: - Our Operations - Community - Environment The information was up to date at the time of this audit.	
Note	***Nothing in these conditions removes or lessens any obligations by the Applicant under the mining lease, mining legislation or other legislation in relation to matters covered by these conditions.***				

Tahmoor Coal
2023 Independent Environmental Audit
Development Application 57/93

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General					
1	No development shall take place in land within Zone 2(a) - Residential A; Zone 4(a) - Industrial General A; Zone S(a) Special Use "A"; Zone S(b) Special Uses "B" (Railways); Zone 6(a) Open Space "A" (Recreation); Zone 7{a) EnvironmentalProtection "A"; Zone 9{d) - Open Space Reservation. Otherwise, the development shall be carried out substantially in accordance with Environmental Impact Statement ("EIS") received by council on 23 February 1993 except where amended by the conditions of consent.	Compliant	1. Audit interviews	Mining occurs in accordance with the current consent conditions.	
2	The submission of a formal building application which must comply with the requirements of the Building Code of Australia for Class 5 and ancillary buildings	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
3	Details of effluent disposal in the form of a septic tank application to be submitted with the building application	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
4	An area being set aside for the collection of waste material awaiting removal. Such area is to be shown on the building plans and reserved for the specific purpose and is to be maintained in a clean, tidy and hygienic manner. The area is to be exclusive of parking and manoeuvring areas and shall be suitably screened.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
5	Upon completion of the Picton, Tahmoor, Thirlmere Sewerage Scheme the proposed bathhouse and facilities are to be connected to such scheme within six months of such scheme becoming available.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
6	Compliance with the provisions of Council's Tree Preservation Order . Under the Order a consent of council wilfully destroy any person shall not, except with the ringbark, cut down, top, lop or tree which: (a) Is greater than 3 m in height; {b) Has a girth greater than 45 cm at a height of 1 m from the ground; (c) Has a branch spread greater than 3 m. In particular consent under Council's Tree Preservation Order must be obtained in respect of any tree situated more than 3 m from any proposed building.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
7	The applicant is to obtain the written concurrence of the Water Board and submit this t council prior to release of the Building Application. Details from the Board are to be submitted stating that the development can be supplied with water without it reducing the current level of service to the residents of the area.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
Bridge Street Site Construction Condition					
8	During construction temporary pump-out facilities are to be provided for amenity facilities provided for the construction of the proposal. Details in the form of a septic tank application to be submitted to council for approval prior to the commencement of any works	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
9	The company is to provide written confirmation from the EPA that the proposal to remove effluent during the construction period to the existing effluent disposal facility at Tahmoor Colliery is permissible under the terms of the existing pollution control licence issued for the site.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
10	Removal of effluent from the construction site (and the operation site if effluent removal by tanker is required) is to occur during the hours of 7.00 am - 6.00 pm by a dedicated effluent tanker on weekdays only.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	

11	Submission of a copy of approval granted by the Commissioner of Soil Conservation service for the undertaking or works adjacent to a prescribed stream as described in the Soil Conservation Act, 1938 prior to the commencement of any works at the access shaft site.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
12	Submission of a copy of approval granted by the Department of Water Resources for the undertaking or works within protected Riverland as described in the Rivers and Foreshores Improvement Act, 1948, prior to the commencement of any works at the access shaft site.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
13	A submission prior to the commencement of any works of a Soil and Water Management Plan outlining sediment and erosion control measures for the works to be carried out at the Bridge Street site. The plan is to be prepared generally in accordance with Sinclair ·Knight Merz report annexed hereto and marked "B" and in accordance with the Department of Conservation and Land Management Guidelines.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
14	The approved soil and water management plans for the Bridge Street site being under the control of a nominated Soil Conservationist appointed by the company at its expense, and approved by the council, whose duties will include: * Control and management of all measure approve within the soil and water management plans. * Control and responsibility of employees required to maintain soil and water management devices. *Completion of a written report to be submitted to council every two (2) weeks certifying compliance with the approved soil and water management plans for the duration of construction works.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
15	Before any shaft sinking commences provision of details of groundwater's composition including chemical composition and estimates as to the volumes of groundwaters to be disposed within one month of the completion of the preliminary borehole excavation.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
16	There being nil discharge of groundwaters to Redbank Creek unless discharge satisfies EPA licence conditions as notified to council. Any results of water quality testing shall be submitted to council as soon as practicable after the test.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
17	1. The company is to provide details for proposed monitoring of blasting activities including vibration and blast over pressure for approval by council prior to the commencement of any blasting at the site. The monitoring proposal is to provide methods of ensuring meteorological conditions including temperature inversions will not result in exceedances of specified noise criteria as stated in this consent. 2. Monitoring of all levels and both speed horizontal displacement residences.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
18	Removal of spoil from the site and delivery of concrete to the site between the hours of 7.00 am and 6.00 pm Monday to Friday only.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
19	(a) There being no batching plant being located upon the site by virtue of this approval. b) There being no storage of explosives, as prescribed under the Dangerous Goods Act, on site. Blasting material must be brought to the site on a daily basis.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
20	The company is to notify council of the completion of all construction works to council's satisfaction as confirmed in writing prior to the commencement of normal post construction operations at the site.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
21	Mine entry site spoil disposal is to be a site approved by council. Depending upon the number of loads, the proposal to use the Tahmoor Mine refuse emplacement for shaft spoil disposal may require upgrading works for Rockford Road and Charlies Point Road. Such works are to be carried out at no cost to the council.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
22	There being no encroachment onto adjoining lands by fill placed near boundaries.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	

23	In order to ensure minimal impact of construction activities upon the creek gully vegetation a chain wire fence (or similar) a minimum of 1.8 metres high is to be erected at the immediate rear of the construction area continuing to the eastern extremity of the construction area then continuing to the Bridge Street boundary. The exact location of the fence is to be shown on plans approved by Council's Chief Town Planner. The fence is to remain until construction is complete.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
24	In order to ensure the preservation of all trees not specifically required to be removed for building/construction work, a minimum of 1.8 metre high chain wire fence (or similar) is to be erected around trees at least one metre distance from the tree in the vicinity of the construction area as specified by council's Chief Town Planner. The fence is to remain until construction is complete. All existing trees within and adjoining the construction site are to be identified on a survey plan submitted with the management plan for the Bridge street site . Trees proposed to be removed are to be identified for approval by council.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
25	The details of the colours of external materials of construction and finishes shall be to the satisfaction of the Chief Town Planner and detailed in the building application.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
26	In order to ensure that the development is adequately landscaped the application is to submit a detailed landscaped plan prepared by a suitably qualified landscape architect for approval by council's Chief Town Planner prior to release of the building application.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
27	Landscaping is to be installed in approved plan and maintained in details provided on that plan.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
28	Details with respect to the exact location, design and colour of any required noise barrier erected during construction is to be submitted to council for approval.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
29	Construction work is to cease immediately upon the discovery of any archaeological deposit, potential archaeological deposit or any protected or endangered fauna, as defined in the Endangered Fauna (Interim Protection) Act, 1991. Work is not to recommence until approval is obtained from the National Parks and Wildlife Service in accordance with the National Parks and Wildlife Act, 1974.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
30	The company is to forward details to council for consideration and approval prior to the installation of construction and permanent lighting at the site. The details are to include: * the proposed lighting layout and lighting pattern * lux levels at the boundaries of the site, the immediate site area to be lit and at a distance of 10 m beyond the site boundaries.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
31	Prior to the commencement of building construction works the company is to submit details for stormwater drainage works to be undertaken for the removal of roof waters and car park stormwater from the site. The details are to outline: * the proposed layout of the pipe work * the discharge location * the extent of site works and vegetation removal required to install the drainage system * erosion and sediment control measures to be incorporated prior to the commencement of works.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
Bridge Street Site Operational Conditions					
32	The proposed mine ventilation not be reversed to an upcast mode of operation until a completed report into studies being under taken for the utilisation of mine gases is submitted to council for approval. The report is to detail proposals for reduction of mine gas release to the atmosphere as well as economic and technical bases for such recommendations.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
33	There being nil discharge of groundwaters to Redbank Creek unless discharge satisfies EPA licence conditions as notified to council. Any results of water quality testing shall be submitted to council as soon as practicable after the test.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	

Roadworks Conditions					
34	Provisions of road shoulder and kerb and gutter along the Bridge street frontage of the site, together with associated drainage works.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
35	The intersection of the site is to be based on a RTA rural design for Bridge street traffic and an urban design for the frontage works and the side road. To this end the intersection is to be generally constructed in accordance with the requirements of council, the RTA and the company's EIS Figure 4.11. The access road is to be two lanes wide (separated by a wide median strip). * Right turn treatment - widen east bound carriageway pavement to 7.00 metres and design in accordance with Figure 4.8.16 (AUR) of the RTA Road Design Guide 1991. * Left turn treatment - in accordance with Fig 4.8.26 (BAL) of the RTA Road Design Guide 1991, with auxiliary left turn lane in accordance with Figure 4.8.30 (RTA) and Figure 4.11 of the EIS. * The intersection is to be located to maximise drive sight distance east and west along Bridge Street. Sight distance improvement will be required in the vicinity of the proposed entry area.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
36	Widening of the sealed pavement along Bridge Street towards Picton (0.25 km) and Thirlmere (1.65 km). Widen shoulders by 1.5 m with 1 m of seal to Council Standard W421 Sheet 1 (Annexure D). Widen the railway bridge to the same standard. The adoption of this standard will make some provision for cyclists.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
37	(i) stormwater drainage pipelines through allotments and within road reserves shall be designed for a minimum standard of 1: 20 year average recurrence interval, with provision for overland flow, within the easement for storms of average recurrence interval of 1: 100 years, unless otherwise specified. (ii) Drainage easements wide and piped to interallotment drainage wide are to be a minimum of 3.0 m, council's specification, with easements being a minimum °1 . 0 iii) The proposed widths of the various drainage easements is subject to the Shire Engineers approval. (iv) The discharge of stormwater from the development shall be carried to a point suitable for integration with either the natural or constructed stormwater drainage system. Any necessary amplification or upgrading of the downstream drainage system shall be carried out at no cost to council.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
38	Vehicles are to enter and leave the site in a forward direction.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
39	Provision of 244 sealed car parking spaces and access thereto for the proposed development, such spaces to measure not less than 2.6 m x 5.5 for 90 degree parking and 2.5 m x 6.2 m for parallel parking and to be marked on the pavement.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	

40	i) Engineering design plans and stormwater drainage calculates, with all levels reduced to Australian Height Datum, for all road, carpark, loading area, access works and stormwater drainage construction are to be submitted to and approved by the Shire Engineer, prior to the commencement of any work. _A plan checking and supervision fee is required to be paid, prior to the release of the approved engineering plans. Drainage calculations are to be carried out in accordance with "Australian Rainfall and Runoff" published by the Institute of Engineers Australian and are to include contoured catchment diagrams and delineation of flow paths for storms of average recurrence interval of 1:100 years, where appropriate. (ii) A Defects liability period of six (6) months will apply from the date of issue of the certificate of Practical Completion by the Shire Engineer. A 10% maintenance bond is to be lodged in accordance with council's construction specification for all work to become the property of council. (iii) A certified "Works as Executed" plan from a Registered Surveyor is to be submitted before the final inspection and is to specifically include the location and level of service conduits, subsoil drains, interallotment drainage, and pipes laid within proposed drainage easements and show that the work has been constructed in accordance with the lines, levels and other information provided on the drawings and within the tolerances specified. (iv) To protect the environment and minimise erosion, a soil and water management plan, in accordance with the Department of Conservation & Land Management and Environment Protection Authority guidelines and council's construction specification, is to be included with the engineering design plans. This plan shall be referred, by council, to the Department of Conservation and Land Management for their approval. (v) The developer and any contractors or sub-contractor used to carry out any work authorised by or out of this approval on council owned or council controlled land, is to carry the following insurances which are to be produced to council prior to any work commencing: * Motor vehicle insurance (comprehensive or property damage) for all self propelled plant, as well as a valid registration or RTA permit (including CTP insurance) . Primary producers registration is not valid registration for use on public road construction works. * Workers' compensation insurance. * Five million dollars Public Liability Insurance.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	
Refuse Emplacement Conditions					
41	Submission of an integrated site management plan for the refuse emplacement within 4 months of the date of consent detailing: *Design criteria such as storm intensity, time of concentration, co-efficient of runoff calculated peak discharges, the catchment area and. a nominated storm return period. *Dimensions such as batter grades, outlet and pipe sizes, wall heights, wall thickness, freeboard and slope grades for all sediment traps, settling ponds, fill trenches and diversion banks. *Information in relation to the outletting of both clean and dirty water into Teatree Hollow Creek, including information on outlet size and placement and pipe sizes and placement. Provision shall be made for treatment of dirty water to be outlet into Teatree Hollow Creek. *The upgrading of the haul road from the mine site, including information on drainage upgrading and no tree destruction in the area of Teatree Hollow Creek. (This area is Protected Land and the Department of Conservation and Land Management must be consulted before any tree destruction occurs). * The length of time that the topsoil is to be stockpiled, and what cover crops will be used to decrease erosion of these stockpiles. * Maintenance of erosion control structures and drainage systems.	Compliant	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021) 2. Letter - Tahmoor North Project (Kembla Coal & Coke Pty LTY, 19/01/1995).	The REAMP addressed the requirements of this condition: - Section 3.1 addresses reject emplacement design criteria and deposition criteria Letter submitted to Council 19/01/1995.	
42	Submission of a copy of approval granted by the Commission of Soil Conservation for the undertaking of works adjacent to a prescribed stream as described in the *Soil Conservation Act, 1938* , prior to the receival at the refuse emplacement of refuse from the Tahmoor North lease area.	Not Triggered	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021)	The *Soil Conservation Act 1948* was repealed prior to the receival of Reject from the Tahmoor North lease area, therefore the requirements of this condition are not triggered.	

43	Submission of a copy of approval granted by the Department of Water Resources for the undertaking of works within protected river land as described in the River and Foreshores Improvement Act, 1948 prior to the receival at the refuse emplacement of refuse from the Tahmoor North lease area.	Not Triggered	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021)	An approval is not required where surface mining leases are held under the Mining Act, therefore this condition is not triggered.	
44	All stages identified in the refuse emplacement site management plan are to be pegged by a Registered Surveyor and a copy of a Survey certificate certifying the compliance of the extent of works at the completion of each stage boundary being forwarded to council.	Compliant	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021) 2.Letter - Tahmoor Colliery - Reject Management Plan (Austral Coal Tahmoor Colliery, 3/09/1999) 3. Letter - Tahmoor Colliery - Reject Management Plan (Austral Coal Tahmoor Colliery, 30/05/2000)	No stages were completed during the audit period. Letter to Council (1999) identifies the completion of areas 6 and 9, delays in areas 7 and 8 and rehabilitation of areas 3-5. Letter to Council (2000) identifies the completion of area 1 - 6 and 9	
45	Council is to be formally notified in writing upon completion of each stage and each rehabilitation process at the refuse emplacement for the purpose of carrying out an inspection(s) of the works.	Not Triggered	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021)	No stages were completed during the audit period	
46	Within 4 months of the date of this consent, a detailed refuse emplacement site rehabilitation and revegetation plan of management is to be submitted to council for approval. This is to include all existing works and embankments and proposed extensions and details are to include: (a) Topsoil depths and material to be. placed upon the refuse and method of retention. (b) List of propose .. species and planting densities. (c) Identification of each stage and species area. (d) A report describing the method of preparation of planting beds including planting methods, fertilising, mulching, staking etc and an outline of the prov1s1on to be made to maintenance. The rehabilitation plan is to give regard to species types indigenous to the native area. (e) Details of final finished levels relative to depth of refuse and the stated EIS objective of an average of 12 m depth of emplaced refuse.	Compliant	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021) 2. Letter - Tahmoor North Project (Kembla Coal & Coke Pty LTY, 19/01/1995).	The REAMP was approved outside of this audit period (letter dated 19 January 1995) The requirements of this condition are now addressed in the Mine Operations Plan which has now been replaced with the Rehabilitation Management Plan.	
47	Within 4 months of the date of this consent a detailed refuse emplacement water monitoring plan is to be submitted to the EPA for approval and notified to the council. This monitoring plan is to include: (a) Proposals for the monitoring of Teatree Hollow and upstream and downstream of its confluence with Bargo River. (b) Monitoring details for all elements contained within table 6.9-3 of the EIS. (c) A sampling programme, on a monthly basis, for the duration of coal emplacement at site, or in any case, until notification is received by council, advising the last stage has been completed as required in the conditions of consent.	Compliant	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021) 2. Letter - Tahmoor North Project (Kembla Coal & Coke Pty LTY, 19/01/1995).	The REAMP was approved outside of this audit period (letter dated 19 January 1995) The requirements of this condition are now addressed in the Mine Operations Plan which has now been replaced with the Rehabilitation Management Plan. Water monitoring is completed and results are published on the sites website and reported in the Annual reports.	
48	The approved soil and water management plans for the refuse emplacement being under the control of a nominated employee or consultant Conservationist appointed by and advised to council, whose being a qualified Soil the company at its expense duties will include: * Control and management of all measures approved within the soil and water management plans. * Control and responsibility of employees required to maintain soil and water management devices. * completion of a written report to be submitted to council on a six monthly basis certifying compliance with the approved soil and water management plan for the duration of construction works at Bridge street and for the duration or refuse emplacement.	Compliant	1. Reject Emplacement Area Management Plan (REAMP) Rev 6.0 (TAH-HSEC-302, 30/07/2021) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 4. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	The Tahmoor Environment and Community Manager is in control of all environment management plans onsite.	

49	The applicant shall provide an annual report on progress of disposal and rehabilitation to the council, Department of Mineral Resources, Department of Conservation and Land Management, and the EPA.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	* The annual repot is published on the sites website. submitted to relevant stakeholders and .	
Subsidence Conditions					
50	(1) Submission to council for approval of a mine subsidence impact study for all areas proposed to be mined by bord and pillar techniques prior to pillar panel extraction commencing. (2) Three (3) months written notice shall be given to the owners of all land in (1) of the intention to remove pillar panels. (3) If requested in writing by an owner within one (1) month after the notice in (2) the applicant shall cause pre-mining surveys to be" carried out on substantial improvements within the land and the 35 deg angle of draw at least one (1) month prior to removal of pillar panels taking place. These pre-mining inspections are to include soil sampling for moisture content and soil types. Owners of improvement are to get written reports of all findings and photographs of the existing condition of all improvements.	Compliant	1. Subsidence Impact Reports 2. Subsidence Monitoring Programs	Mining is managed through the Subsidence management process. Government agencies are consulted as part of this process.	
51	The applicant shall: (a) Set up and participate in a community liaison programme upon gaining development consent, in order to provide periodically updated information on the progress of mining and explaining predicted and measured mining induced subsidence effects on residences and land; (b) Prior to commencement of longwall mining, in any approval granted by the Department of Mineral Resources negotiate with the Mine Subsidence Board and the council as to the most appropriate means to provide a community information service to respond to queries on subsidence, to provide expert advice on specific housing and land within .approved mining areas, and the provision of general advice on subsidence effects, the rights of owners of improvements in making a claim for compensation for subsidence or vibration induced damage to improvements and the rights of review and appeal concerning Mine Subsidence Board decisions; and (c) Provide a representative for an annual liaison meeting of government agencies and council to discuss the results of subsidence monitoring, future mining proposals and study technical issues relevant to subsidence damage.	Compliant	1. Subsidence Impact Reports 2. Fact Sheet - subsidence 3. https://www.tahmoorcolliery.com.au/community/	The CCC has been established. Details of t committee members is available on the sites website. The website also publishes: - CCC meeting minutes - Newsletters - Subsidence reporting - A fact sheet for subsidence	
52	The applicant shall carry out subsidence monitoring according to the requirements of the Department of Mineral Resources and taking into consideration the advice of the annual liaison meeting. The applicant shall report the results of subsidence monitoring into an annual environmental management plan report and such results shall be publicly accessible through the council.	Compliant	1. Subsidence Impact Reports 2. Subsidence Monitoring Programs	Subsidence Monitoring Program. Evidence of reporting against this program in Subsidence Status Reports, End of Panel Reports and AEMR's.	
53	Mining is not to occur so as to result in the subsidence of any habitable floors to below the 1: 100 year flood level (1% flood level).	Compliant	1. Subsidence Impact Reports 2. Subsidence Monitoring Programs 3. Flood Impact Studies (WRM)	Flooding impact study completed as part of Subsidence Impact reports	

54	No extraction of coal is to occur so as to cause subsidence of the surface upon which any Item of Environmental Heritage (as listed in Schedule 1 of LEP 1991). A separate consent is required pursuant to Clause 30 of the LEP 1991 for any damage to those items. Prior to the extraction of coal which will result in subsidence with the benefit of actual subsidence data from initial longwall panels (not affecting heritage items) , a detailed study of each listed item is to be undertaken identifying expected damage from subsidence. This study is to be considered by a Heritage Architect (to be endorsed by the Heritage Branch of the DOP and a report prepared by that person on the impact of identified damage on the item's historical significance, and the appropriate pre-mining measures or restoration measures so as to minimise impact on the significance of the item. The two studies, including recommendations, are to form the basis of a separate development application pursuant to Clause 30 of the LEP 1991 for consent to damage any item.	Compliant	1. Historical Heritage technical Reports 2. Aboriginal Heritage Technical Reports 3. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Technical assessments have been completed as part of the subsidence impact assessment and reporting. Heritage is monitored as part of subsidence monitoring ad reported through the annual report.	
Acoustic Conditions					
55	The noise level emanating from any operation of Tahmoor North Mine shall not exceed an L10 level of 32 dBA within 3 m of any --residence in existence or approved at the date of this consent.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
56	The Tahmoor North ventilation fan discharge shall face south.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
57	The Tahmoor North ventilation fan discharge duct shall include a 90° radius bend and shall be lined internally with 100 mm thick sound absorbent insulation.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
58	All Tahmoor North ventilation fan intake and discharge ducts shall be constructed from steel plate at least 6 mm thick.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
59	The Tahmoor North ventilation fan and fan motor shall be enclosed such that the noise level emanating from the enclosure, when measured 7 m from the enclosure in any direction, shall not exceed an L_{10} level of 61 dBA.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
60	The Tahmoor North air compressor shall be enclosed in a structure so that the noise level emanating from the structure measured at a distance of 7 m from the structure, does not exceed an L10 level of 56 dBA.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
61	Noise levels emanating from construction activity during construction of Tahmoor North facilities shall not exceed an L10 level of 32 dBA at any position within 3 m of any residence in existence or approved at the date of this consent.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
62	All mobile plant used for construction at Tahmoor North Mine shall be fitted with noise control kits, including high performance exhaust silencers, engine shrouding and cooling fan attenuators, so as to reduce the noise level of each item of plant, when measured at a distance of 7 m, by 5 dBA.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
63	A 5 m high barrier shall be constructed adjacent to the northwest boundary of the shaft site prior to commencement of construction and shall be maintained during the construction period.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
64	The shaft ventilation fan and motor and the air compressors used during the Tahmoor North construction period shall be located on the southern side of the barrier referred to in condition 63.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
65	A shaft protection door is to be provided on the shaft entrance with minimum openings included and' it shall remain closed during all shaft construction operations, excepting blasting and for shaft access.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
66	The shaft sinking ventilation fan inlet and discharge shall be acoustically treated before commencement of construction and before operation and shall be maintained and kept clean during the construction period.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
67	The overburden drill to be used during construction of the Tahmoor North shaft shall be fitted with a noise control kit to ensure that its noise level when measured at a distance of 7 does not exceed an L10 level of 85 dBA. The kit may be removed providing the overburden drill operates at least 10 m below the existing ground level.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	

68	Concrete trucks delivering concrete to the Tahmoor North construction site shall, when on site, park within a partial enclosure consisting of two sides and a roof, constructed of material with a surface density at least equivalent to 0.7 rom steel profile sheet, and the open ends of the enclosure are to face east and west.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
69	Blasting may be carried out only during the hours 9.00 Friday.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
70	Ground vibration levels during blasting construction site shall comply with the contained in the EPA's noise control manual.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
71	Blast overpressure levels during blasting. at the site shall comply with the guidelines contained in the EPA's noise control manual.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
72	During construction and operation of Tahmoor North Mine the L_{AEQ} noise level generated by road traffic to and from the site and measure over any 1 hour period shall not exceed 45 dBA during the period 6.00 am - 10.00 pm and 40 dBA during the period 10.00 pm - 6.00 am at the facade of any residence.	Not Triggered		Outside of this audit period, therefore this condition is not triggered.	
73	The noise level emanating from Tahmoor Mine and any associated facilities, including the washery, stock pile area and rail loading facility, shall not exceed an L10 level of 45 dBA when measured with 3 m of any residence.	Compliant	1. Tahmoor South - Noise Management Plan Rev 3.0 (TAH-HSEC-00372, 19/10/2022) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	The Noise Management Plan includes reference to the requirements of this condition. Noise monitoring is reported in the Annual Reports.	
74	The noise level emanating from operations at the refuse emplacement site shall not exceed an L10 level of 37 dBA or background + 5 dBA which ever is the greater when measured within 3 m of any residence.	Compliant	1. Tahmoor South - Noise Management Plan Rev 3.0 (TAH-HSEC-00372, 19/10/2022) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	The Noise Management Plan includes reference to the requirements of this condition. Noise monitoring is reported in the Annual Reports.	
75	The noise level emanating from the Tahmoor North Mine shall be measured within 3 months of commencement of operation over a 24 hour period while operations are taking place and after that, once per annum at the nearest 2 residences. The LA10 and the LA1 (or LAmax) levels emanating from the operation shall be measured during the daytime and during the night time. A report of the results, including the weather conditions during the measurements, shall be prepared and submitted to council and the owners of the nearest two residences within 1 week of the measurements being completed.	Not Triggered	1. Tahmoor South - Noise Management Plan Rev 3.0 (TAH-HSEC-00372, 19/10/2022) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Commencement of operations occurred outside of this audit period. Noise monitoring results between 2014 - 2022 have been reported in the annual reports	
76	During the construction of Tahmoor level emanating from each item construction shall be measured at a 2 months. A report giving North Mine the noise of plant used for distance of 7 m every the results of the measurements shall be prepared and submitted to council and the owners of the nearest two residences within one week of completion of the measurement.	Not Triggered		Construction did not occur within this audit period, therefore this condition is not triggered.	
77	Noise levels shall be monitored for one 24 hour period every month during the construction of Tahmoor North Mine at the nearest two residences. The LA10 and LA1 (or LAmax) noise levels emanating from the construction operations shall be measured every 15 minutes and the weather conditions shall be noted. A report shall then be prepared giving the results of the measurements and submitted to council and the owners of the nearest two residences within 1 week of the measurements being completed.	Not Triggered		Construction did not occur within this audit period, therefore this condition is not triggered.	
78	The noise level emanating from the Tahmoor Mine surface facilities shall be measured at the nearest two residences within 3 months of the commencement of processing and handling of coal from Tahmoor North Mine. The LA10 levels and LA1 (or LAmax) noise levels emanating from Tahmoor Mine operations shall be determined for both daytime and night time and the weather conditions during the measurements shall be noted. The results obtained shall be included in a report which shall be submitted to council and the owners of the nearest two residences within 1 week of the measurements.	Not Triggered		Commencement of operations (processing and handling of coal) occurred outside of this audit period, therefore this condition is not triggered.	

79	The noise level emanating from the refuse emplacement site shall be monitored at the nearest two residences within 3 months of commencement of dumping of refuse from Tahmoor North Mine. The LA10 and LA1 (or Lama) level emanating from refuse emplacement shall be measured every 15 minutes during the period 7.00 am to 6.00 pm on any 1 normal working day. The results of measurement shall be included in a report which shall be submitted to council and the owners of the nearest two residences within 1 week of the measurements.	Not Triggered		Commencement of operations (dumping of refuse) occurred outside of this audit period, therefore this condition is not triggered.	
80	This consent is limited to the time required to complete extraction of coal from the area identified in the ERS as being Mining Lease Application No. 1 Sydney 1992 (North Tahmoor) .	Not Triggered			
81	(a) Shaft sinking shall occur between the hours of 6.00 am and 10.-00 pm Monday to Friday and 8.00 am to 1.00 pm Saturday with no shaft sinking on Sunday or Public Holidays. (b) Site works associated with construction works (excluding shaft sinking and blasting) shall only occur between the hours 7.00 am and 6.00 pm Monday to Friday and 8.00 am and 1.00 pm Saturday with no site works on Sunday or Public Holidays.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
82	There shall be no removal of vegetation within 20 metres of the north western bank of Redbank Creek and the bank of Redbank Creek tributary which traverses the eastern extremity of the development site.	Not Triggered		This condition is related the shaft which was never constructed, therefore this condition is not triggered	
83	The company shall submit engineering plans to council for approval for the construction of an earth and rock fill mound at least 245 metres long and between 4-6 metres high on the SRA land opposite the Bridge street frontage of the development generally in accordance with figure 7.1 annexed hereto and marked "C". such mound shall be vegetated with native trees, shrubs and grasses together with the provision of a 2 metre high solid acoustic fence constructed along the crest of the mound. All works are to be provided to the satisfaction of the council details of which shall be submitted with the building application. The mound with fencing and screen landscaping shall be constructed prior to commencement of any construction works on the Bridge Street site. This condition which is an essential condition of this consent cannot be relied upon as development consent for the construction of the mound.	Not Triggered		The Bridge Street Site was not completed, therefore this condition is not triggered	

Tahmoor Coal
2023 Independent Environmental Audit
Environmental Protection License (No. 1389)

Condition Ref	Requirement (Exact wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification Number
1	**Administrative Conditions**				
A1	***What the licence authorises and regulates***				
A1.1	This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition. **Scheduled Activity** / **Fee Based Activity** / **Scale** Coal works / Coal works / > 2000000 - 5000000 T annual handing capacity Mining for coal / Mining for coal / > 2000000 - 3500000 T annual production capacity Sewage treatment / Sewage treatment processing by small plants / 0 - 20 ML annual maximum volume of discharge	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Audit interviews	The Annual reports include a section identifying the scheduled activity and the tonnage per year demonstrating compliance with this condition: - Table 6-1 outlines the operational performance.	
A2	***Premises or plant to which this licence applies***				
A2.1	The licence applies to the following premises: **Premises Details** TAHMOOR COLLIERY REMEMBRANCE DRIVE TAHMOOR NSW 2573 LOT 13 DP 3306, LOT 1 DP 120968, LOT 230 DP 751250, LOT 233 DP 751250, LOT 234 DP 751250, LOT 235 DP 751250, LOT 237 DP 751250, LOT 238 DP 751250, PART LOT 248 DP 751270, LOT 441 DP 751270, PART LOT 2 DP 1040783, LOT 162 DP 1054184, PART LOT 22 DP 1128396	Compliant	1. Tahmoor South Tahmoor South Mine Plan 2. Audit interviews	The EPL covers the properties as outlined in this condition.	
A2.2					
A2.3	Premises Description **Description** / **Operation** Lot 1 DP 120968 / Pit Top Lot 13 DP 3306 / No 1 Shaft Lot 162 DP 1054184 / Pit Top / Refuse Emplacement Area Lot 441 DP 751270 / No 2 Shaft Lot 230 DP 751250 / Refuse Emplacement Area Lot 233 DP 751250 / Refuse Emplacement Area Lot 234 DP 751250 / Refuse Emplacement Area Lot 235 DP 751250 / Refuse Emplacement Area Lot 237 DP 751250 / Refuse Emplacement Area Lot 238 DP 751250 / Refuse Emplacement Area Lot 248 DP 751250 / Refuse Emplacement Area A portion of Crown Land in Consolidated Coal Lease 716 adjacent to Lot 162 / Refuse Emplacement Area Road reserve within DP 1054184 and DP 751250 / Refuse Emplacement Area	Compliant	1. Tahmoor South Mine Plan 2. Audit interviews	The premises are as per these lot/plans.	
A3	***Information supplied to the EPA***				
A3.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Non-Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Activities have been undertaken generally in accordance with this EPL, with the exception of the non compliances identified in M2.1 and M2.2: - frequency of monitoring.	NC - 01
2	**Discharges to Air and Water and Application to Land**				
P1	***Location of monitoring/discharge points and areas***				

P1.1	The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point. *Air* **EPA identification no.** / **Type of Monitoring Point** / **Type of Discharge Point** / **Location Description** 7 — Dust Monitoring — DDG1 located at the gas plant header tank 8 — Dust Monitoring — DDG2 located at the top of the bund adjacent to the recycled water treatment plant 9 — Dust Monitoring — DDG3 located at the entry to the stockpiles near the helipad 10 — Dust Monitoring — DDG4 located at the southern end of the stockpiles 11 — Dust Monitoring — DDG7 located at the northern extent of the reject emplacement area 12 — Dust Monitoring — DDG8 located at the southern extent of the reject emplacement area 13 — PM10 Monitoring — PM10-1 located at the north eastern off-site location (Hodgson Grove, Tahmoor) 14 — PM10 Monitoring — PM10-2 located at the western off-site location (Olive Lane, Bargo) 15 — PM10 Monitoring — PM10-3 located at the southern off-site location (115 Charlie's Point Road, Bargo)	Compliant	1. EPL 1389 Monitoring Map	The EPL map located on the sites website identifies the water, Teom, HiVol and dust depositional monitoring points as per the requirements of this condition.	
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Note only		Note only	
P1.3	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. *Water and land* **EPA identification no.** / **Type of Monitoring Point** / **Type of Discharge Point** / **Location Description** 1 — Discharge to waters Water quality monitoring Volume monitoring — Discharge to waters Water quality monitoring Volume monitoring — Main mine water discharge. Discharge drain located on the property boundary down stream from the mine water final treatment dam (Dam M4) and labelled as Lic.No.1 on Tahmoor Colliery's Location Plan N3320 dated March 1997. 3 — Discharge to waters — Overflow of treated discharge from sedimentation pond. Discharge drain is located at the reject disposal area on the final treatment dam (Dam S8) and labelled as Lic.No.3 on Tahmoor Colliery's Location Plan N3320 dated March 1997. 4 — Discharge to waters — Overflow of treated discharge from sedimentation pond. Discharge is from REA dam located on eastern side of main southern railway (Dam S4) on Tahmoor Colliery's Location Plan dated 15/04/2013 (EPA Ref DOC13/31369). 5 — Discharge to waters — Overflow of treated discharge from coal reject sedimenation pond. Discharge drain is on the leachate dam servicing the southern area of reject area (Dam S8) labelled Lic. No. 5 on Tahmoor's Colliery's Location Plan N3320 dated March 1997	Compliant	1. EPL 1389 Monitoring Map	The EPL map located on the sites website identifies the water discharge, overflow and monitoring points as per the requirements of this condition.	
3	**LIMIT CONDITIONS**				
L1	***Pollution of waters***				
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	1. c 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	There were no reportable incidents within the audit period. All incidents are published on the website and the annual reports	
L2	***Concentration limits***				
L2.1	For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Compliant	1. Annual review and Annual Environmental Management Report 2020 - 2022	Section 19.2 outlines the monitoring results for surface water: - Table 19.3 identifies the licensed discharge and overflow points - Table 19.3 outlines the monitoring results	
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Compliant	1. Annual review and Annual Environmental Management Report 2020 - 2022	A review of the annual reports confirmed that pH results were within range	
L2.3	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.	Not only		Note only	

L2.4	Water and/or Land Concentration Limits POINT 1 **Pollutant / Units of Measure / 50 percentile concentration limit / 90 percentile concentration limit / 3DGM concentration limit / 100 percentile concentration limit** Aluminium — micrograms per litre — 110 Arsenic — micrograms per litre — 200 Barium — micrograms per litre — 6440 Copper — micrograms per litre — 5 Electrical conductivity — microsiemens per centimetre — 2600 Enterococci — colony forming units per 100 millilitres — 1700 Nickel — micrograms per litre — 200 Nitrogen (total) — milligrams per litre — 8 pH — pH — 6.5-9.0 Total suspended solids — milligrams per litre — 30 Turbidity — nephelometric turbidity units — 150 Zinc — micrograms per litre — 300	Compliant	1. Annual review and Annual Environmental Management Report 2020 - 2022	Note: There was one recorded incident reported in the 2020 Annual review Report, however this was addressed in the previous audit. Based on a review of the 2020, 2021 and 2022 Annual reviews, there were no further exceedances of water quality concentration levels.	
L3	***Volume and mass limits***				
L3.1	For each discharge point or utilisation area specified below (by a point number), the volume/mass of: a) liquids discharged to water; or; b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area. **Point / Unit of Measure / Volume/Mass Limit** 1 — kilolitres per day — 16500 Note: The flow rate of the wastes discharged at the authorised discharge points may exceed the volume under wet weather conditions provided that all practical measures are taken to minimise additional pollution caused by wet weather. "wet weather conditions" means more than ten millimetres of rain falling within a 24 hour period at the premises	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Discharge volumes are identified in of the Annual reports: 2020 - no exceedances 2021 - no exceedances 2022 - Table 19.5 and figures 48 and 49 show that there were several exceedances between March and September, however these were during high rainfall events with more than 10mm of rain received in 24 hours (as allowed by this condition).	
4	**Operating Conditions**				
O1	***Activities must be carried out in a competent manner***				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	Compliant	1. Site inspection 2. Tahmoor South Environmental Management Strategy Rev 3.0 (TAH-HSEC-00375, 19/10/2022) 3. Waste Management Plan (TAH-HSEC-106)	The EMS outlines the legislative requirements for the operation of the mine, roles and responsibilities, communication, complaints and incidents as well as monitoring and reporting requirements. Observations made during the site inspection confirmed that waste management appeared to be in accordance with the requirements outlined in the WMP: - waste was segregated - waste reporting records up to date - storage areas bunded / roofed - spill equipment available Evidence of minor hydrocarbon staining noted in some storage areas.	
O2	***Maintenance of plant and equipment***				
O1.2	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Compliant	1. ALS hydro monthly (calibrations) Licence discharge plates 2. Noise Equipment calibrations (Novacom) 3.SAP Work Order System 4. STP weekly checklists 5. Site inspection 6. Audit interviews	Maintenance of machinery, equipment, vehicles and mobile plant is managed through the SAP work order (WO) system which sets the schedule: (e.g. weekly for forklift maintenance). Fleet vehicles are scheduled by Fleet. Meetings every Tuesday to discuss WO compliance which is reviewed as a coordinated team and managed by maintenance crew. STP undergoes weekly inspections\ Noise equipment is calibrated on a quarterly basis - records observed water monitoring equipment calibrated monthly by ALS Hydro - records observed	
O3					

O1.3	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	1. Air and Greenhouse Gas Management Plan (AGHGMP) Rev 3.0 (TAH-HSEC-00379, 19/10/2022) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Site inspections	Observations made during the site inspection confirmed that the site was being managed in accordance with the AQGHGMP: - real time monitoring at locations in accordance with this EP - water trucks utilised on haul roads for dust suppression - all trucks have covers - stockpile areas sprayed/seeded - disturbance kept to a minimum - conveyor systems covered - progressive rehabilitation observed	
5	**Monitoring and Recording Conditions**				
M1	***Monitoring records***				
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Compliant	1. Monitoring records 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Monitoring records / reporting from 2017 to current available on the website. Monitoring results are included in the annual reports.	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	1. Monitoring records 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	All monitoring records complied with the requirements of this condition. Records are published on the website (2017 - current). Monitoring results are included in the annual reports.	
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	1. ALS Monitoring records 2. Audit interviews	Monitoring records observed confirmed compliance with the requirements of this condition.	
M2	***Requirement to monitor concentration of pollutants discharged***				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	Non-compliant	1. Monitoring records 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Audit interviews	Activities have been undertaken generally in accordance with this EPL, with the exception of the non compliances identified in M2.2: - frequency of air quality monitoring site PM10-1. The disruption was a result of a power fault.	NC - 01
M2.2	Air Monitoring Requirements POINT 7,8,9,10,11,12 Pollutant / Units of measure / Frequency / Sampling Method Insoluble solids / grams per square metre per month / Monthly / AS/NZS 3580.10.1:2016 POINT 13,14 Pollutant / Units of measure / Frequency / Sampling Method PM10 / micrograms per cubic metre / Quarterly / AS/NZS 3580.9.6:2015 POINT 15 Pollutant / Units of measure / Frequency / Sampling Method PM10 / micrograms per cubic metre / Monthly / No method specified	Non-compliant	1. Monitoring records 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Audit interviews	Activities have been undertaken generally in accordance with this EPL, with the exception of the non compliances identified in M2.2: - frequency of air quality monitoring site PM10-1. The disruption was a result of a power fault.	NC - 01

M2.3	Water and/ or Land Monitoring Requirements POINT 1 **Pollutant / Units of measure / Frequency / Sampling Method** Aluminium (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample Arsenic (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample Barium (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample Bicarbonate alkalinity — milligrams per litre — Once a month (min. of 4 weeks) — Grab sample Conductivity — microsiemens per centimetre — Once a month (min. of 4 weeks) — Grab sample Copper (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample Enterococci — colony forming units per 100 millilitres — Once a month (min. of 4 weeks) — Grab sample Nickel (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample Nitrogen (total) — milligrams per litre — Once a month (min. of 4 weeks) — Grab sample pH — pH — Once a month (min. of 4 weeks) — Grab sample Total suspended solids — milligrams per litre — Once a month (min. of 4 weeks) — Grab sample Turbidity — nephelometric turbidity units — Once a month (min. of 4 weeks) — Grab sample Zinc (dissolved) — micrograms per litre — Once a month (min. of 4 weeks) — Grab sample	Compliant	1. Monitoring records 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Audit interviews	Monitoring records observed for 2021 and 2022 confirmed compliance with the requirements of this condition. Monitoring records for 2020 identified one nonconformance for the exceedance of turbidity and TSS from sediment laden waters discharged through LDP1 (17/04/2020). This is outside of the audit period and was captured in the 2020 IEA.	
M3	***Testing methods - concentration limits***				
M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.	Not Triggered	1. EPL 1389 2. Audit interviews	The EPL does not imposes dust criteria	
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted. *Note: The Protection of the Environment Operations (Clean Air) Regulation 2021 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".*	Not Triggered	1. EPL 1389 2. Audit interviews	The EPL does not include prescribed threshold	
M4	***Recording of pollution complaints***				
M4.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	1. Complaints registers (2020 - 2023) 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 3. Community complaint and enquiry procedure 19/10/2020	Community complaints are registered on the website. The register identifies the person receiving the complaint, date, how it was received, nature of the complaint, actions taken and follow up details. The records are legible. Note: the complainants details are not published. Complaints are also summarised in the annual reviews Community complaint and enquiry procedure 19/10/2020 includes a flow chart for the process and complaints procedures included in general training.	
M4.2	The record must include details of the following: a) the date and time of the complaint; b) the method by which the complaint was made; c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect; d) the nature of the complaint; e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Compliant	1. Complaints registers (2020 - 2023)	A review of the complaints register confirmed it includes the following detail: - date - method of contact - details of the complainant are not published, however they are included in the integral process (observed) - nature of the complaint - actions taken - follow up details	
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	1. Complaints registers (2020 - 2023)	Records are published on the website 2020 - 2023	

M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Compliant	1. Complaints registers (2020 - 2023): https://www.tahmoorcolliery.com.au/environment/community_complaints/ 2. Audit interviews	The Auditee confirmed that the EPA had not requested record of complaints	
M5	***Telephone complaints lines***				
M5.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	1. https://www.tahmoorcolliery.com.au/contact/	Contact details are available on the website: - 24 hour hotline number - general phone number - email - address (physical and mailing)	
M5.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	Compliant	1. https://www.tahmoorcolliery.com.au/contact/ 2. Community Newsletters (https://www.tahmoorcolliery.com.au/community/)	Contact details are available on the website as well as in the monthly newsletters	
M5	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.				
M6	***Requirement to monitor volume or mass***				
M6.1	For each discharge point or utilisation area specified below, the licensee must monitor: a) the volume of liquids discharged to water or applied to the area; b) the mass of solids applied to the area; c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below. POINT 1 Frequency: Continuous; Unit of Measure: kilolitres per day; Sampling Method: Level sensor and continuous logger	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	The Annual reviews confirm that continuous monitoring occurred in accordance with the requirements of this condition	
6					
R1	***Annual return documents***				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 1. a Statement of Compliance, 2. a Monitoring and Complaints Summary, 3. a Statement of Compliance - Licence Conditions, 4. a Statement of Compliance - Load based Fee, 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan, 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and 7. a Statement of Compliance - Environmental Management Systems and Practices. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Compliant	1. Annual Returns 2020 - 2022 2. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Audit interviews	Annual Returns observed during the audit interviews confirmed that they included a statement of compliance and a monitoring and complaints summary. Section 2 (Table 2.1 and 2.2) include statement of compliance against the relevant approvals, licence, permits.	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. *Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.*	Compliant	1. Annual returns 2020 - 2022	Annual returns observed during the audit interview confirmed they covered a calendar year e.g. January 2022 - December 2022.	
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. *Note: An application to transfer a licence must be made in the approved form for this purpose.*	Not Triggered	1. Audit interviews	The Auditee confirmed that there had not been any transfer of licence occurred in the audit period	

R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	Not Triggered	1. Audit interviews 2. NSW EPA POEO Register	The Auditee confirmed that the Licence is current and has not been surrendered, which was confirmed on the EPA's POEO public register	
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	Compliant	1. Audit interviews	Evidence that the annual returns were completed and submitted in accordance with the requirements of this condition were observed during the audit interviews.	
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Compliant	1. Annual returns 2007 - 2022	Copies of the annual returns submitted to the EPA were observed during the audit interviews confirming records for a minimum of 4 years are maintained. Annual return records are maintained in the sites internal document control system.	
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	Compliant	1. Annual returns 2007 - 2022	Copies of the annual returns submitted to the EPA were observed during the audit interviews	
R2	***Notification of environmental harm***				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Compliant	1. Pollution Incident Response Management Plan (PRIMP) Tahmoor Coal, Rev 19.0 (TAH-HSEC-00155, 19/8/2022)	Section 6.2 of the PRIMP outlines the internal and external notification process. Table 3 identifies external agency contact details.	
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident. *Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.*	Compliant	1. Incident and non-compliance notification register 2020 - 2023 2. Audit interviews	There were no reportable incident since the 2020 incident that was identified and addressed in the 2020 audit.	
R3	***Written Report***				
R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: a) where this licence applies to premises, an event has occurred at the premises; or b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	Compliant	1. Incident and non-compliance notification register 2020 - 2023 2. Audit interviews	There were no reportable incident since the 2020 incident that was identified and addressed in the 2020 audit.	
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	Compliant	1. Incident and non-compliance notification register 2020 - 2023 2. Audit interviews	There were no reportable incident since the 2020 incident that was identified and addressed in the 2020 audit.	
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	Compliant	1. Incident and non-compliance notification register 2020 - 2023 2. EPA POEO Public Register (notices search) 3. Audit interviews	There were no reportable incident since the 2020 incident that was identified and addressed in the 2020 audit. A review of the EPA notices register confirmed that there have been no PINs issued since the 2020 incident.	

R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	Compliant	1. Incident and non-compliance notification register 2020 - 2023 2. Audit interviews	There were no reportable incident since the 2020 incident that was identified and addressed in the 2020 audit.	
7	**General Conditions**				
G1	***Copy of licence kept at the premises or plant***				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	1. Document Control system 2. Notice board	Electronic copy of the licence was observed in the internal document control system. A copy of the licence was also on display on the notice board in the site office.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Compliant	1. Audit interviews	The Auditee confirmed that an EPA officer has not requested to see the licence within the audit period.	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	1. Document Control system 2. https://www.tahmoorcolliery.com.au/our-operations/licences/ 3. NSW EPA POEO public Register 4. Office Notice board	The licence is easily accessible to all site personnel via the internal document control system, the sites website and the EPA website.	
G2	***Signage***				
G2.1	Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point identification number.	Compliant	1. Site inspection	Relevant signage was observed during the site inspection at the discharge / monitoring locations as required by this condition	
G3	***Other general conditions***				
G3.1	Completed Programs **Program** / **Description** / **Completed Date** PRP 1 - Mine Water Discharge Quality Monitoring — Mine Water Discharge quality monitoring. To assess the impact of mine water discharges on Bargo River and to assist in developing limit conditions — 06-August-2003 PRP 2 - Assessment of Discharge Volume — To provide information regarding the discharge volume monitoring methodology. To provide accurate estimates of waste waters discharged from licensed discharge points. — 06-March-2003 PRP 3 - Ecological Impact of Minewater Discharge (Part 1) — The aim of this PRP is to determine if any ecologically significant impact on the surface waters receiving the treated mine waters discharged from point 1 is occurring in the Bargo River and Nepean River. PRP requires a report to be prepared. Water quality monitoring shows impacts in the Bargo River caused by mine water discharges. This PRP will endeavour to detect any significant impacts and if so may lead to PRP improvements on discharges — 31-August-2004 PRP 4 - Ecological Impact of Minewater Discharge (Part 2) — Investigate and report on any ecologically significant impact on the surface waters in the Bargo and Nepean Rivers receiving the treated mine waters discharged from Point 1. — 31-March-2005 PRP 5 - Mine Water Discharges (LDP1) — Improve the quality of mine water discharged into the Bargo River Catchment, increase the reuse of mine water, and minimise the use of potable water in mine operations. — 31-August-2005 PRP 6 - Chemicals and Liquid Waste Storage — Ensure materials are stored at the premises in a way which contains leaks and spills and minimises odour and dust generation — 30-April-2005 PRP 7 - Water Management Plan — Protect and minimise the impact on the Bargo River by preparing a Water Management Plan which outlines options to improve on site water management and reduce the pollutant loads discharged from the site. — 31-August-2005 PRP 9 - Materials Storage — To ensure materials are stored at the premises in a way which contains leaks and spills and minimises odour and dust generation. — 30-June-2006 PRP 10 - Implementation of Pilot Project for Minewater Treatment — Investigation and testing of treatment technology to reduce pH and conductivity of discharges from Discharge Point 1. — 30-June-2006 PRP 11 - Improved Surface Water Management — Implement improvements to surface water management resulting from an investigation required by PRP 7 of this licence and to carry out additional investigations into improving discharge water quality at discharge Points 2, 4 & 5. — 30-June-2006 PRP 12 - Noise Assessment Survey — Determine if premises can meet the requirements of the INP to eliminate public concern caused by machinery operations at night. — 31-March-2007 PRP 13 - 2 Stage Noise Investigation and Mitigation Program — Previous investigations have established noise assessment goals for the premises and identified works to reduce noise from the source - two reports to be submitted 1: 15 Dec 2008; 2: 31 Jan 2009. — 31-January-2009 PRP 14 - Noise Mitigation Program — Implementation of the measures submitted in letter dated 2 July 2009. Report notifying of completion to be submitted. — 31-December-2009 PRP 15 - Improvement of Stormwater Management — Improve the capture and treatment of stormwater generated on site. — 30-September-2011 PRP 16 - Noise Survey Review and Assessment — Investigate the impacts of noise from operations on surrounding residences. — 30-May-2011 PRP 17 - Review of Noise Mitigation Works — Review previous noise investigations and noise reduction works to determine what can be implemented. — 29-July-2011 PRP 18 - Feasible and Reasonable Noise Mitigation Works — Implement any identified noise mitigation works identified in PRP 17. — 29-September-2011 PRP 19 Assessment of Soil and Groundwater Contamination — Assessment of Soil and Groundwater Contamination in the vicinity of the Waste Oil Tank and the underground storage tanks. Determine the nature and extent of the soil and groundwater contamination. — 31-July-2011 PRP 20 - Water Recycling Plant — Install a recycled water plant to reduce potable water consumption — 30-June-2012 PRP 21 - Consolidate mine discharges to LDP1 — Consolidate mine discharge by connecting S4 Dam (LDP4) to discharge via LDP1 — 27-May-2013 PRP22 - Mine Water Treatment Plant — Install a water treatment plant to reduce arsenic, nickel and zinc in mine discharge water from Licensed Discharge Point 1 — 30-September-2015 PRP 23 - Aquatic Monitoring Program — Conduct aquatic health monitoring to formalise specific trigger values for electrical conductivity in the Bargo River and for mine discharge water — 30-September-2016 PRP 24 - Coal Mine Particulate Matter Control Best Practice — Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions — 28-September-2012	Compliant	1. Audit interviews 2. Site inspection	The Auditee confirmed that the programs listed in this condition have been completed prior to this audit period.	
8	**Special Conditions**				
E1	***Program of works for water treatment at Tahmoor Colliery***				

E1.1	*Installation of a water treatment plant at Tahmoor Colliery* The licensee must install a water treatment plant to reduce the concentration of pollutants released from licence discharge point 1. The plant must be designed to meet the concentration values specified in table 2. A pilot water treatment plant must be installed and fully tested by the date listed in table 1. (Completed December 2021). Subject to review of the pilot water treatment plant, commissioning of the main water treatment plant must be undertaken by the date listed in table 1. **Table 1 – Due Date for Operation of Water Treatment Plant** Date / Pilot Plant / Main Plant Due Date / 31 December 2021 / 31 December 2023 **Table 2 - Concentration of Pollutants - Point 1** Pollutant / Unit of Measure / 100 Percentile pH / / 6.5 - 8.0 Electrical Conductivity / uS/cm / 350 Bicarbonate Alkalinity (as CaCo3) / mg/L / 185 Aluminium (dissolved) / ug/L / 55 Barium (dissolved) / ug/L / 700 Copper (dissolved) / ug/L / 1.4 Nickel (dissolved) / ug/L / 11 Zinc (dissolved) / ug/L / 8 Total Nitrogen / ug/L / 250 Arsenic (dissolved) / ug/L / 24 Note: 1. New limits for the concentration of substances discharged from licence discharge point 1 will replace the interim concentration limits in condition L2.4 after the due date for the final plant. 2. *The limits will be based on the actual measured performance of the installed equipment when operated in a proper and efficient manner. The EPA will consider recommendations made by the licensee in relation to statistical parameters for the limits.* 3. The water treatment plant must be operated and maintained to achieve a 90% availability during the reporting period when input water is available.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	The water treatment plant pilot plant trial was completed in December 2021 confirming it was "fit for purpose". The construction of the final water treatment plant is expected to be complete by December 2023.	
E2	***Toxicity Monitoring***				
	The toxicity of water discharged from point 1 must be assessed in accordance with the methods in the following table. Monitoring must begin in the quarter before the commencement of operation of the final water treatment plant specified in condition E1.1. Monitoring must be undertaken for a period of 2 years following commencement of operation of the water treatment plant unless otherwise approved by the EPA. The licensee may apply to the EPA for amendment to the program after a year of data has been collected. A report must be submitted to the EPA containing the results of monitoring and an assessment of the results against the criteria in the table below. The report must be submitted to the EPA within 3 months of completion of monitoring. Species / Sampling Method / Sampling Frequency / Assessment Criteria Ceriodaphnia dubia / Chronic toxicity US EPA Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, 4th Edition (2002). EPA-821-R-02-013.) / Quarterly (minimum of 80-day intervals) / EC10 reproduction >100% sample Melenotaenia duboulayi (Crimson spotted rainbowfish) or Melanotaenia splendida (Eastern Rainbowfish) / 96-hour larval imbalance test US EPA (2002). Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. 5 ed. EPA-821-R-02-012. Washington DC: USA / Quarterly (minimum of 80-day intervals) / EC10 reproduction > 100% sample Melenotaenia duboulayi (Crimson spotted rainbowfish) or Melanotaenia splendida (Eastern Rainbowfish) / 96-hour larval imbalance test US EPA (2002). Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. 5 ed. EPA-821-R-02-012. Washington DC, USA. / Quarterly (minimum of 80-day intervals) / EC10 reproduction > 100% sample	Not Triggered	1. Audit interviews	The Auditee confirmed that the Ecological toxicity monitoring will commence in Spring 2023 prior to the commissioning of the water treatment plant.	
E3	***Aquatic Health Monitoring Program***				

	The licensee must prepare an aquatic health monitoring program to identify changes in the aquatic health of the Bargo River following commissioning of the final water treatment plant required by condition E1.1. The monitoring program must include at least the following: • quantitative sampling and analysis of macroinvertebrates; • in-stream and laboratory water quality testing; • river flow monitoring; • assessment of data using a before after control impact (BACI) sampling design; and • interim reports to be submitted to the EPA. A copy of the monitoring program must be submitted to the EPA by 30 June 2021. (Completed June 2021)	Not Triggered	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Audit interviews	The Auditee has confirmed that aquatic health monitoring occurs every 6 months. Monitoring results are reported in the annual reports	

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
ML1308 (1992) effective 17 October 2022

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General Conditions					
1	**Notice to Landholders:** (a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing: (i) that this mining lease has been granted or renewed; and (ii) whether the lease includes the surface. The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area. (b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.	Not Triggered	1. Audit interviews	Notification to landholders not required as variations are not considered renewals.	
2	**Group Security:** The security deposit to be provided and maintained for this mining lease is part of a group security deposit. The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future. The amount of the security deposit to be provided as a group security deposit has been assessed at $27,334,000. The leases covered by the group security include this ML 1308 (1992) and: Lease type / Lease Number / Act Year CCL / 716 / 1973 ML / 1376 / 1992 ML / 1539 / 1992 ML / 1642 / 1992	Compliant	1. Full Details Title - Consolidated Coal Lease 716 (Act 1973) - Security Deposit (Department of Regional NSW)	The report provided confirmed the security deposit as required by this condition is being held.	
3	**Cooperation Agreement:** The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues.	Compliant	1. Audit interviews	SIMEC legal confirmed that there are no overlapping authorisations.	

4	**Assessable Prospecting Operations:** (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained. (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval. (c) An approval granted by the Minister under this condition may be granted subject to terms. (d) The lease holder must comply with the approval granted to the holder under this condition.	Compliant	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within he audit period.	
Special Conditions					
	Petroleum (Mining Operations By-Product Only): For the purposes of this lease, petroleum is limited to coal bed methane that is captured or extracted as a by-product in the course of carrying out mining operations.	Compliant	1. NGER Reports (2017 - 2022)	The NGER reports identify the quantities of methane captured for energy production on site, captured and transported offsite and flared.	
5	Exploration Reporting Note: Exploration Reports (Geological and Geophysical) The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation. Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 3. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	Section 6.2.1 of the RMP and section 2.3 of the MOP include statements that Limited surface drilling exploration activities are proposed in the Tahmoor Lease CCL716 to determine geological structure, coal quality and other investigatory purposes and the relevant forms will be submitted prior to exploration occurring. The Annual reports confirm that no exploration activities occurred within the audit period.	

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
ML1376 (1992) effective 17 October 2022

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General Conditions					
1	**Notice to Landholders:** (a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing: (i) that this mining lease has been granted or renewed; and (ii) whether the lease includes the surface. The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area. (b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.	Not Triggered	1. Audit interviews	The renewal was received on 28 March 2023, therefore notification is required by 26 June 2023.	
2	**Group Security:** The security deposit to be provided and maintained for this mining lease is part of a group security deposit. The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future. The amount of the security deposit to be provided as a group security deposit has been assessed at $27,334,000. The leases covered by the group security include this ML 1376 (1992) and: **Lease type / Lease Number / Act Year** **CCL / 716 / 1973** **ML / 1308 / 1992** **ML / 1539 / 1992** **ML / 1642 / 1992**	Compliant	1. Full Details Title - Consolidated Coal Lease 716 (Act 1973) - Security Deposit (Department of Regional NSW)	The report provided confirmed the security deposit as required by this condition is being held.	
3	**Cooperation Agreement:** The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues.	Not Triggered	1. Audit interviews	SIMEC legal confirmed that there are no overlapping authorisations.	

4	**Assessable Prospecting Operations:** (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained. (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval. (c) An approval granted by the Minister under this condition may be granted subject to terms. (d) The lease holder must comply with the approval granted to the holder under this condition.	Compliant	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within he audit period.	
Special Conditions					
5	Aboriginal Place or Relic: The lease holder shall not knowingly destroy, deface or damage any Aboriginal place or relic within the subject area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Section 15.2 of the annual report confirms that there were no incidents relating to this mining lease within the audit period. Aborigianl Cultural Heritage has been assessed by a suitably qualified heritgae consultant and is managed through the implementation of Heritgae Management Plan and the TARPs system.	
6	**Petroleum (Mining Operations By-Product Only):** For the purposes of this lease, petroleum is limited to coal bed methane that is captured or extracted as a by-product in the course of carrying out mining operations.	Compliant	1. NGER Reports (2017 - 2022)	The NGER reports identify the quantities of methane captured for energy production on site, captured and transported offsite and flared.	
	Exploration Reporting *Note: Exploration Reports (Geological and Geophysical)* *The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation. Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 3. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	Section 6.2.1 iof the RMP and section 2.3 of the MOP include statements that Limited surface drilling exploration activities are proposed in the Tahmoor Lease CCL716 to determine geological structure, coal quality and other investigatory purposes and the relevant forms will be submitted prior to exploration occurring. The Annual reports confirm that no exploration activities occurred within the audit period.	

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
ML1539 (1992) effective 17 October 2022

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General Conditions					
1	**Notice to Landholders:** (a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing: (i) that this mining lease has been granted or renewed; and (ii) whether the lease includes the surface. The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area. (b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.	Not Triggered	1. Audit interviews	Notification to landholders not required as variations are not considered renewals.	
2	**Group Security:** The security deposit to be provided and maintained for this mining lease is part of a group security deposit. The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future. The amount of the security deposit to be provided as a group security deposit has been assessed at $27,334,000. The leases covered by the group security include this ML 1539 (1992) and: **Lease type / Lease Number / Act Year** **CCL / 716 / 1973** **ML / 1308 / 1992** **ML / 1376 / 1992** **ML / 1642 / 1992**	Compliant	1. Full Details Title - Consolidated Coal Lease 716 (Act 1973) - Security Deposit (Department of Regional NSW)	The report provided confirmed the security deposit as required by this condition is being held.	
3	**Cooperation Agreement:** The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues.	Not Triggered	1. Audit interviews	SIMEC legal confirmed that there are no overlapping authorisations.	

4	**Assessable Prospecting Operations:** (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained. (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval. (c) An approval granted by the Minister under this condition may be granted subject to terms. (d) The lease holder must comply with the approval granted to the holder under this condition.	Compliant	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within the audit period.	
Special Conditions					
5	**Aboriginal Place or Relic:** The lease holder shall not knowingly destroy, deface or damage any Aboriginal place or relic within the subject area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Section 15.2 of the annual report confirms that there were no incidents relating to this mining lease within the audit period. Aborigianl Cultural Heritage has been assessed by a suitably qualified heritgae consultant and is managed through the implementation of Heritgae Management Plan and the TARPs system.	
	Exploration Reporting *Note: Exploration Reports (Geological and Geophysical)* *The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation.* *Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 3. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	Section 6.2.1 iof the RMP and section 2.3 of the MOP include statements that Limited surface drilling exploration activities are proposed in the Tahmoor Lease CCL716 to determine geological structure, coal quality and other investigatory purposes and the relevant forms will be submitted prior to exploration occurring. The Annual reports confirm that no exploration activities occurred within the audit period.	

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
ML1643 (1992) effective 17 October 2022

<table>
<tr><th>Condition Ref</th><th>Requirement (Exact Wording)</th><th>Compliance Rating</th><th>Evidence Reviewed</th><th>Independent IEA Findings</th><th>Unique Identification</th></tr>
<tr><td colspan="6">General Conditions</td></tr>
<tr><td>1</td><td>Notice to Landholders:
(a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing:
(i) that this mining lease has been granted or renewed; and
(ii) whether the lease includes the surface.
The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area.
(b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.</td><td>Not Triggered</td><td>1. Audit interviews</td><td>Notification to landholders not required as variations are not considered renewals.</td><td></td></tr>
<tr><td>2</td><td>Group Security:
The security deposit to be provided and maintained for this mining lease is part of a group security deposit.
The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future.
The amount of the security deposit to be provided as a group security deposit has been assessed at $27,334,000.
The leases covered by the group security include this ML 1642 (1992) and:
<table>
<tr><th>Lease type</th><th>Lease Number</th><th>Act Year</th></tr>
<tr><td>CCL</td><td>716</td><td>1973</td></tr>
<tr><td>ML</td><td>1308</td><td>1992</td></tr>
<tr><td>ML</td><td>1376</td><td>1992</td></tr>
<tr><td>ML</td><td>1539</td><td>1992</td></tr>
</table></td><td>Compliant</td><td>1. Full Details Title - Consolidated Coal Lease 716 (Act 1973) - Security Deposit (Department of Regional NSW)</td><td>The report provided confirmed the security deposit as required by this condition is being held.</td><td></td></tr>
<tr><td>3</td><td>Cooperation Agreement:
The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to:
• access arrangements
• operational interaction procedures
• dispute resolution
• information exchange
• well location
• timing of drilling
• potential resource extraction conflicts; and
• rehabilitation issues.</td><td>Compliant</td><td>1. Audit interviews</td><td>SIMEC legal confirmed that there are no overlapping authorisations.</td><td></td></tr>
</table>

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
CCL 716 (1973) effective 17 October 2022

<table>
<tr><th>Condition Ref</th><th>Requirement (Exact Wording)</th><th>Compliance Rating</th><th>Evidence Reviewed</th><th>Independent IEA Findings</th><th>Unique Identification</th></tr>
<tr><td colspan="6">General Conditions</td></tr>
<tr><td>1</td><td>Notice to Landholders:
(a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing:
(i) that this mining lease has been granted or renewed; and
(ii) whether the lease includes the surface.
The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area.
(b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.</td><td>Not Triggered</td><td>1. Audit interviews</td><td>Notification to landholders not required as variations are not considered renewals.</td><td></td></tr>
<tr><td>2</td><td>Group Security:
The security deposit to be provided and maintained for this mining lease is part of a group security deposit.
The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining leases covered by the group security deposit, including obligations under each mining lease that may arise in the future.
The amount of the security deposit to be provided as a group security deposit has been assessed at $27,334,000.
The leases covered by the group security include this CCL 716 (1973) and:
<table>
<tr><th>Lease type</th><th>Lease Number</th><th>Act Year</th></tr>
<tr><td>ML</td><td>1308</td><td>1992</td></tr>
<tr><td>ML</td><td>1376</td><td>1992</td></tr>
<tr><td>ML</td><td>1539</td><td>1992</td></tr>
<tr><td>ML</td><td>1642</td><td>1992</td></tr>
</table></td><td>Compliant</td><td>1. Full Details Title - Consolidated Coal Lease 716 (Act 1973) - Security Deposit (Department of Regional NSW)</td><td>The report provided confirmed the security deposit as required by this condition is being held.</td><td></td></tr>
<tr><td>3</td><td>Cooperation Agreement:
The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to:
• access arrangements
• operational interaction procedures
• dispute resolution
• information exchange
• well location
• timing of drilling
• potential resource extraction conflicts; and
• rehabilitation issues.</td><td>Compliant</td><td>1. Audit interviews</td><td>SIMEC legal confirmed that there are no overlapping authorisations.</td><td></td></tr>
</table>

4	**Assessable Prospecting Operations:** (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained. (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval. (c) An approval granted by the Minister under this condition may be granted subject to terms. (d) The lease holder must comply with the approval granted to the holder under this condition.	Compliant	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within the audit period.	
Special Conditions					
5	**Barriers:** The lease holder shall not prospect or mine for coal within surface lands within the lease.	Not Triggered	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within the audit period.	
6	**Aboriginal Place or Relic:** The lease holder shall not knowingly destroy, deface or damage any Aboriginal place or relic within the subject area except in accordance with an authority issued under the National Parks and Wildlife Act, 1974, and shall take every precaution in drilling, excavating or disturbing the land against any such destruction, defacement or damage.	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022)	Section 15.2 of the annual report confirms that there were no incidents relating to this mining lease within the audit period. Aborigianl Cultural Heritage has been assessed by a suitably qualified heritgae consultant and is managed through the implementation of Heritgae Management Plan and the TARPs system.	
	Petroleum (Mining Operations By-Product Only): For the purposes of this lease, petroleum is limited to coal bed methane that is captured or extracted as a by-product in the course of carrying out mining operations.	Compliant	1. NGER Reports (2017 - 2022)	The NGER reports identify the quantities of methane captured for energy production on site, captured and transported offsite and flared.	
7	**Exploration Reporting:** *Note: Exploration Reports (Geological and Geophysical)* *The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation.* *Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 3. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	Section 6.2.1 iof the RMP and section 2.3 of the MOP include statements that Limited surface drilling exploration activities are proposed in the Tahmoor Lease CCL716 to determine geological structure, coal quality and other investigatory purposes and the relevant forms will be submitted prior to exploration occurring. The Annual reports confirm that no exploration activities occurred within the audit period.	

Tahmoor Coal
2023 Independent Environmental Audit
Instrument of Variation
CCL 747 (1973) effective 17 October 2022

Condition Ref	Requirement (Exact Wording)	Compliance Rating	Evidence Reviewed	Independent IEA Findings	Unique Identification
General Conditions					
1	**Notice to Landholders:** (a) Within 90 days from the date of grant or renewal of this mining lease, the lease holder must give each landholder notice in writing: (i) that this mining lease has been granted or renewed; and (ii) whether the lease includes the surface. The notice must include a plan identifying the lease area and each landholder and individual land parcel within the lease area. (b) If there are ten or more landholders to which notice must be given, the lease holder will be taken to have complied with condition 1(a) if a notice complying with condition 1(a) is published in a newspaper circulating in the region where the lease area is situated.	Not Triggered	1. Audit interviews	Notification to landholders not required as variations are not considered renewals.	
2	**Security:** The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining lease, including obligations under the mining lease that may arise in the future. The amount of the security deposit to be provided has been assessed at $552,000.	Compliant	1. Full Details Title - Consolidated Coal Lease 747 (Act 1973) - Security Deposit (Department of Regional NSW)	The report provided confirmed the security deposit as required by this condition is being held.	
3	**Cooperation Agreement:** The lease holder must make every reasonable attempt, and be able to demonstrate its attempts to the satisfaction of the Secretary, to enter into a cooperation agreement with the holder(s) of any overlapping authorisations issued under the Mining Act 1992 and petroleum titles issued under the Petroleum (Onshore) Act 1991. The cooperation agreement should address but not be limited to: • access arrangements • operational interaction procedures • dispute resolution • information exchange • well location • timing of drilling • potential resource extraction conflicts; and • rehabilitation issues.	Compliant	1. Audit interviews	SIMEC legal confirmed that there are no overlapping authorisations.	

4	**Assessable Prospecting Operations:** (a) The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained. (b) The Minister may require the lease holder to provide such information as required to assist the Minister to consider an application for approval. (c) An approval granted by the Minister under this condition may be granted subject to terms. (d) The lease holder must comply with the approval granted to the holder under this condition.	Compliant	1. Audit interviews	The Auditee confirmed that there has been no prospecting operations within the audit period.	
Special Conditions					
5	**Details of Lands, Purposes and Additional Conditions:** The lease holder shall be limited to the following operations and conditions within the specified areas described on the plan annexed hereto and marked "B" **COLUMN 1 - DESCRIPTION** / **COLUMN 2 - PURPOSES** / **COLUMN 3 – APPLICABLE CONDITIONS** Land shown by green and yellow colours on the plan hereto and marked "B" — The following purposes are as prescribed as mining purposes for the purposes of the definition of mining purpose in the Dictionary at the end of the Mining Act, 1992: 1. the construction, maintenance or use (in or in connection with mining operations) of any road, cable, conveyor, pipeline, telephone line. 2. the storage of fuel, machinery, timber or equipment for use in or in connection with mining operations. 3. the generation and transmission of electricity for use in or in connection with mining operations. — a) The lease holder shall observe and perform any instruction given or which may be given by the Minister regarding any aboriginal relics within the subject area. 4. the construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings. Lands shown by orange colour on the plan hereto and marked "B" — The following purposes are as prescribed as mining purposes for the purposes of the definition of mining purpose in the Dictionary at the end of the Mining Act, 1992: 1. the construction, maintenance or use (in or in connection with mining operations) of any building or mining plant, road, railway, reservoir, dam, drain cable, conveyor, pipeline, telephone line or signalling system, bin. 2. the stockpiling or depositing of overburden, ore or tailings, 3. the storage of fuel, machinery, timber or equipment for use in or in connection with mining operations, 4. the generation and transmission of electricity for use in or in connection with mining operations, 5. the construction, maintenance and use (in or in connection with mining operations) of any drillhole or shaft for drainage of gas, or drainage or conveyance of water, or ventilation, or conveyance of electricity, or conveyance of materials, or communications, or emergency access to underground workings. — a) The lease holder shall observe and perform any instruction given or which may be given by the Minister regarding any aboriginal relics within the subject area.	Compliant	1. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 2. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	CCL 747 is associated with the Bargo Collieries shaft site, which is no longer in use. The shaft site is not expected to be used during the MOP term.	
	Exploration Reporting: *The lease holder must lodge reports in accordance with the requirements in section 163C of the Mining Act 1992 and clauses 59, 60 and 61 of the Mining Regulation 2016 as well as any further requirements issued by the Secretary under clause 62 of the Mining Regulation.* *Guidelines for the structure, content and data format requirements for reports are set out in the Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.*	Compliant	1. Annual Review and Annual Environmental Management Report 2020, 2021 , 2022) 2. Mine Operations Plan 2020 - 2024 Rev C(27/07/2021) 3. Rehabilitation Management Plan Rev 2.0 (TAH-HSEC-402, 19/10/2022)	Section 6.2.1 iof the RMP and section 2.3 of the MOP include statements that Limited surface drilling exploration activities are proposed in the Tahmoor Lease CCL716 to determine geological structure, coal quality and other investigatory purposes and the relevant forms will be submitted prior to exploration occurring. The Annual reports confirm that no exploration activities occurred within the audit period.	

APPENDIX F SITE INSPECTION PHOTOS



Plate 1. Licensed Discharge Point L:DP1



Plate 2. Water Treatment Dam



Plate 3. Chemical Storages Shed



Plate 4. Hazardous Waste Compound (Sealed, bunded roofed)

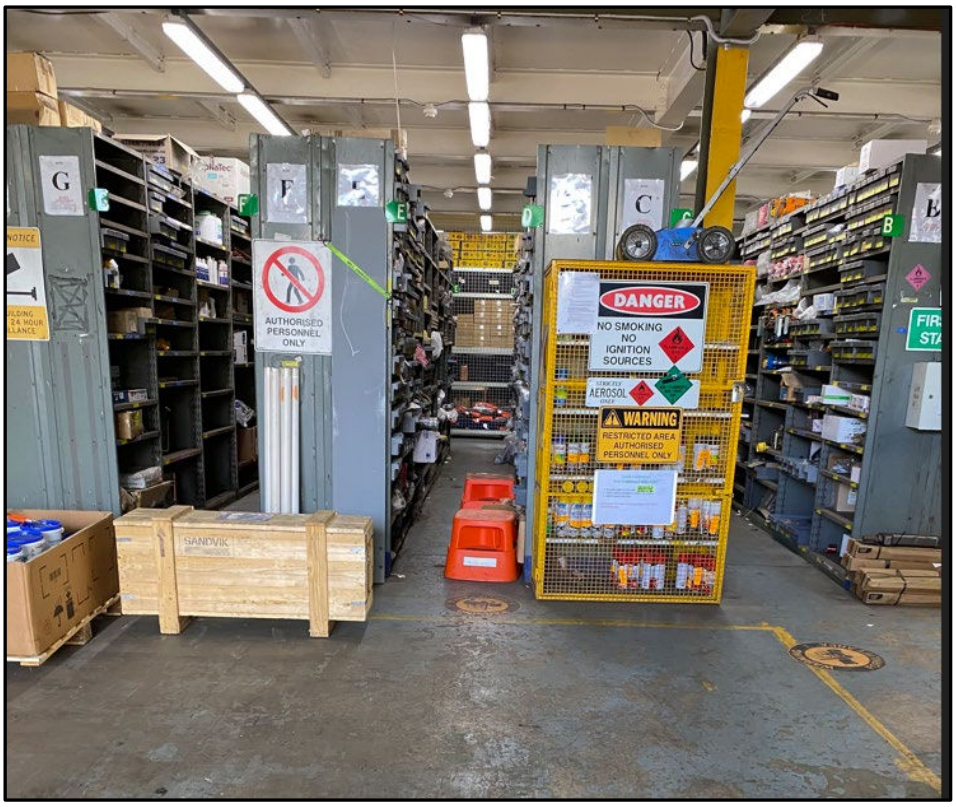

Plate 5. Chemical storage



Plate 6. Waste drum segregation



Plate 7. Sewage Treatment Plant



Plate 8. Enclosed Conveyor Belts



Plate 9. Rehabilitation at REA



Plate 10. Rehabilitation at REA

APPENDIX G CONSULTATION

Department of Planning and Environment

Our ref: OUT23/6913

Kirsty Douglas

kdouglas@epicenvironmental.com.au

Date 10th May 2023

Subject: **Tahmoor Coal (SSD-8445)- IEA**

Dear Kirsty

I refer to your request seeking advice from the Department of Planning and Environment – Water (the department) on an upcoming audit for the above matter. It is understood this consultation is in accordance with conditions of approval for the project.

The department understands that the scope of the audit as outlined under the development consent and the reference guideline, "*Independent Audit Post Approval Requirements* (2020)" extends to at least the following:

- Identification of compliance requirements and documentation of any non-compliances.
- Assessment of the adequacy and implementation of management plans and sub plans.
- Assessment of compliance against relevant regulatory requirements and legislation.
- Assessment of compliance between actual and predicted impacts in the environmental assessment.
- Reporting requirements for management plans.
- Identification of strengths of the project in environmental management and opportunities for improvement.

The department requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope:

- The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include:
    - Water Management Plans and related sub-plans eg. Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface and Groundwater Management Plan.
    - Extraction Plans and related sub-plans eg. Water Management Plan, Subsidence Management Plan.
- The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance based reporting.
- Water supply availability is clearly defined for the project.
- Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018.
- Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant.

- Water Access Licence/s used to account for water take by the project nominates the work where the water is being taken from.
- Annual reporting clearly documents; 1) water take, use and water source impacts, 2) compares results with previous year's, and 3) identifies exceedances and how these are managed/mitigated.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments at water.assessments@dpie.nsw.gov.au

Yours sincerely,



Tim Baker
Senior Project Officer
Water Assessments
Department of Planning and Environment — Water
T 0428162097 | E tim.baker@dpie.nsw.gov.au

AREQ0040353

Ms Kirsty Douglas
Epic Environmental Pty Ltd
PO Box 13058
George Street
Brisbane QLD 4003

By email: kdouglas@epicenvironmental.com.au

Dear Ms Douglas,

Subject: Tahmoor Colliery – Independent Environmental Audit

Thank you for your email dated 8 May 2023 requesting consultation on the independent environmental audit to be undertaken of the Tahmoor Coal Mine and Tahmoor South Coal Project which is covered by the following mining leases.

- CCL716 (1973)
- CCL747(1973)
- ML1308 (1992)
- ML1376 (1992)
- ML1539 (1992)
- ML1642 (1992)

The independent environmental audit is required to assess compliance against the relevant environmental management conditions of the mining leases up to 1 July 2022, including implementation of the mining operations plan for the site.

From 2 July 2022, the independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. It is noted that the 6 mining leases that comprise the Tahmoor Coal operations have been approved by the Regulator to be treated as a single lease for the purposes of Part 2 of Schedule 8A.

The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at nswresourcesregulator@service-now.com upon completion of the audit.

Yours sincerely

Jenny Ehmsen
Principal Compliance Auditor
15 May 2023

From: Georgia Dragicevic
To: Kirsty Douglas
Cc: Christopher Griffiths
Subject: RE: SIMEC - Tahmoor Coal (SSD8445) - IEA consultation
Date: Sunday, 7 May 2023 1:53:41 PM
Attachments: image001.jpg
image002.png
image003.png

Kirsty,

Thank you for consulting the department on the upcoming IEA for Tahmoor South Coal Project. In addition to the consent requirements, please consider subsidence related impacts and noise management.

Kind Regards,
Georgia

From: Kirsty Douglas <kdouglas@epicenvironmental.com.au>
Sent: Saturday, 6 May 2023 10:02 AM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Cc: Christopher Griffiths <cgriffiths@epicenvironmental.com.au>
Subject: SIMEC - Tahmoor Coal (SSD8445) - IEA consultation

Hi Georgia

As per the attached endorsement letter, myself and Chris Griffiths, of Epic Environmental Pty Ltd (the audit team) (Epic) have been endorsed by the Department of Planning and Environment (DPE) to undertake the Independent Environmental Audit (IEA, the Audit) for Tahmoor South Coal Project (SSD 8445) and Tahmoor Coal Mine (DA67/98) (the project).

This email has been prepared to request your feedback and comment for the audit team's attention to any key issues within the scope of the IEA as summarised below.

The proponent is Tahmoor Coal Pty Limited (Tahmoor Coal), and details of the Tahmoor South Coal Project are available on the Tahmoor South website and the NSW Department of Planning and Environment (DPE) Major Projects websites
below:
https://www.tahmoorsouth.com.au/

https://www.planningportal.nsw.gov.au/major-projects/projects/tahmoor-south-coal-project

In accordance with Schedule 2, Condition E16 of development consent SSD 8445 and Schedule 2, Condition 50 of development consent DA 67/98, as modified (the consents), Tahmoor Coal is required to conduct an IEA in accordance with the *Independent Audit Post Approval Requirements* (DPE, 2020) (IEA Guidelines).

In accordance with the IEA Guidelines, this IEA is required to be undertaken within 26 weeks of the commencement of operation which commenced in October 2022. The IEA will cover the audit period from October 2022 (commencement of operations) to the last day of the site inspection and audit interviews (proposed to be end of May 2023). The scope of the IEA will also

include a review of the status of actions (non-conformances, opportunities for improvement etc) identified in the 2022 audit).

The IEA will be undertaken in accordance with the Independent Audit Post Approval Requirements (DPE, 2020) and with consideration to AS/NZS ISO 19011.2014 – Guidelines for Auditing Management Systems and will include:

- An assessment of compliance of operational activities with:
    - All conditions of Tahmoor's consent applicable to the phase of the development that is being audited (Operations)
    - All post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and subplans

- A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
    - Actual impacts compared to predicted impacts documented in the environmental impact assessment
    - The physical extent of the development in comparison with approved boundary
    - Incidents, non-compliance and complaints that occurred or were made during the audit period
    - The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit
    - Feedback received from the Department, and other agencies and stakeholders, including the Community Consultative Committee, on the environmental performance of the project during the audit period

- The status of implementation of previous independent Audit findings, recommendations and actions (if any)
- A high level assessment of whether Environmental Management Plans and Sub-plans are adequate
- Any other matters considered relevant by the auditor or the Department, taking into account relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact me on 0410 410 373 or email kdouglas@eicenvironmental.com.au

Please provide feedback by to me by COB on the 19 May 2023.

Kind Regards

Kirsty Douglas
Associate Environmental Consultant

Phone: 1800 779 363
Mobile: 0410 410 373
Email: kdouglas@epicenvironmental.com.au

L17, 95 North Quay, Brisbane, QLD, 4000

From: Michael Muston
To: Kirsty Douglas
Subject: Re: SIMEC - Tahmoor Coal (SSD8445) - IEA consultation
Date: Thursday, 11 May 2023 9:18:32 AM
Attachments: Q1 2023 TCCCC Minutes - 20230302.pdf
Q1 2023 TCCCC Minutes - 20230302.pdf

Hi Kirsty

I am sorry if you had problems with my email. You may have used a "g" instead of "q" in your first attempt (your letter has the incorrect email).

I do not have any issues of non compliance that I am aware of. I will circulate your letter to the other members of the Tahmoor Coal CCC to see if there are any issues of concern from them though the timing may not meet your deadline. The next meeting of the CCC is not until1 June 2023.

Meanwhile I have attached a copy of the Annual Report for 2022 and the latest minutes of the latest meeting in March which may help you in assessing any potential areas of concern to the CCC.

Let me know if you need any more information and I am happy to discuss if needed.

Regards

Michael

Michael Muston
Muston & Associates
PO Box 113
Fairy Meadow NSW 2519
Phone +61 (0)411 045 386
Email: qem@1earth.net

> On 10 May 2023, at 10:17 am, Kirsty Douglas <kdouglas@epicenvironmental.com.au> wrote:
>
> Hi Michael
>
> Chris Griffiths and I, of Epic Environmental Pty Ltd (the audit team) (Epic) have been endorsed by the Department of Planning and Environment (DPE) to undertake the Independent Environmental Audit (IEA, the Audit) for Tahmoor South Coal Project (SSD 8445) and Tahmoor Coal Mine (DA67/98) (the project).
>
> I had previously tried to send you an email with the letter of endorsement attached, however it bounced back stating it was undeliverable. To avoid this occurring again - I have set up a OneDrive that includes a letter outlining the audit we are undertaking as well as a copy of the Endorsement letter from DPE.

 Tahmoor Coal South Project IEA

If you would like to discuss the site or the scope of the IEA, please do not hesitate to contact me on 0410 410 373 or email kdouglas@eicenvironmental.com.au

Please provide feedback by to me by COB on the 19 May 2023.

Kind Regards

Kirsty Douglas
Associate Environmental Consultant

Phone: 1800 779 363
Mobile: 0410 410 373
Email: kdouglas@epicenvironmental.com.au

L17, 95 North Quay, Brisbane, QLD, 4000
PO Box 13058, George Street, Brisbane, Queensland 4003

Epic Environmental acknowledges the Australian Aboriginal and Torres Strait Islander peoples as the first inhabitants of the nation and the traditional custodians of the lands where we live, learn and work.

CONTACT US

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enquiries@epicenvironmental.com.au